

1 amendment does.

2 MR. VEASEY: This is the bypass affidavit.  
3 It just says that if you come to vote and you do not have  
4 the proper identification, the very slim and narrow piece  
5 of proper identification that this bill calls for that you  
6 can actually go in there, sign an affidavit and say that,  
7 "Yes, I am Richard Raymond and I attest under oath that I  
8 am Richard Raymond."

9 MR. RAYMOND: Is this a loophole? Could  
10 people criticize this as being a loophole?

11 MR. VEASEY: I think that -- personally  
12 think that, Mr. Raymond, because Indiana and Georgia may  
13 have not discriminated against enough people as the  
14 Republican National Committee would have liked. And so,  
15 they want to create even a (inaudible) bill here, and that  
16 is why I think that they probably will not accept this  
17 amendment.

18 MR. RAYMOND: Thank you.

19 MR. VEASEY: Mr. Speaker, the second degree  
20 felony comes with a sentence of two to 20 years in prison  
21 and a fine up to \$10,000. I don't think anyone would risk  
22 going to jail -- what this amendment does -- let me walk  
23 you through how discrimination used to happen before the  
24 Voting Rights Act.

25 Someone in the south or in Texas,

1 particularly an African-American, would go to cast a  
2 ballot. When they would go to cast a ballot, a very nice,  
3 gentile southern woman or man sitting on the other side of  
4 the aisle that was the voting clerk, sitting on the other  
5 side of the desk would ask and say, "Do you have your  
6 voting card with you? Have you paid your poll tax? How  
7 many bubbles in a bar of soap? Who was the better  
8 president, Abraham Lincoln or George Washington?" Asking  
9 a series of questions so they could discriminate and then  
10 deny suffrage to the person on the other end of the table.

11 Under this current bill, the way it is  
12 written right now, the same thing is going to happen 40  
13 years later. Maybe the person on the other side of the  
14 desk may be similar to the person 40 years ago and older,  
15 but maybe not, and they will ask the person a series of  
16 questions about IDs. If they do not have a very narrow --  
17 when I say "narrow," I mean there are only a handful of  
18 ways that you can vote under this bill, like maybe four or  
19 five.

20 SPEAKER: Mr. Castro, for what purpose?

21 MR. CASTRO: Will the gentleman yield for a  
22 question?

23 SPEAKER: Mr. Veasey, will you yield?

24 MR. VEASEY: Yes.

25 SPEAKER: Representative Veasey, so you're

1 trying to beef up the notice requirement to Texas  
2 residents about these huge changes in our voting laws; is  
3 that correct?

4 MR. VEASEY: Exactly.

5 MR. CASTRO: And is there going to be any  
6 extra cost to the state because of the amendment that  
7 you're trying to add onto the bill?

8 MR. VEASEY: No.

9 MR. CASTRO: Thank you.

10 SPEAKER: Ms. Harless, do you wish to speak  
11 again? Chair recognizes Ms. Harless to speak against the  
12 amendment.

13 MS. HARLESS: Members, this amendment  
14 actually in my opinion removes the photo ID provision by  
15 allowing just a person to promise they are who they say  
16 they are. I would appreciate if you would consider  
17 tabling this amendment.

18 UNIDENTIFIED REPRESENTATIVE: Mr.  
19 Speaker --

20 SPEAKER: For what purpose?

21 UNIDENTIFIED REPRESENTATIVE: Will the  
22 gentle lady yield for a question?

23 SPEAKER: Ms. Harless, will you yield?  
24 Ms. Harless will yield.

25 UNIDENTIFIED REPRESENTATIVE: Actually, I'm

1 going to yield to Representative Veasey.

2 SPEAKER: Representative Veasey, for what  
3 purpose?

4 MR. VEASEY: Will the gentle lady yield,  
5 please?

6 SPEAKER: Do you yield, Ms. Harless?

7 MS. HARLESS: Yes.

8 MR. VEASEY: Ms. Harless, why on earth  
9 would anyone go into a polling place and lie and say that  
10 they are not who they are and sign a form that could put  
11 them in jail with a second degree felony just to cast one  
12 ballot? Help me understand the process here. Help me  
13 understand why that would be.

14 MS. HARLESS: We heard testimony in  
15 committee of many people suggesting that that occurred,  
16 and --

17 MR. VEASEY: Suggesting that occurred and  
18 producing evidence that that occurred are two different  
19 things.

20 MS. HARLESS: And I understand that and I  
21 appreciate that and I appreciate the vein that you're  
22 offering this, but the whole purpose of having a photo ID  
23 is so that when you go to the polls you are showing proof  
24 of who you are. We've laid out the criteria, and this  
25 guts the bill, basically, because at that point you can

1 just sign an affidavit and say you're who you're saying  
2 you are without proving that you are that person.

3 MR. VEASEY: I don't think trying to make  
4 sure that no one is denied the right to vote is gutting a  
5 bill. I think it's actually a good step, but --

6 MS. HARLESS: Through this whole process  
7 I've said that there are some things that we are not just  
8 going to agree on. This is one of them.

9 MR. VEASEY: This is one of the things that  
10 we're not going to agree on, but I want to make the point  
11 for the record here because obviously with us being a  
12 Section 5 state people are watching and we want to make  
13 sure that we do everything that we can to make sure that  
14 everyone can cast their suffrage.

15 Help me understand. If someone -- help me  
16 understand why this is not okay because basically what you  
17 just talked about earlier, one of the things that you  
18 mentioned was we heard stories about voter fraud and voter  
19 impersonation. We heard stories, but there was never  
20 any proof.

21 Why should we pass such a stringent bill  
22 and stringent law based on rumor and innuendo? Basically  
23 rumor and innuendo that has sort of circled around voting  
24 and African-Americans since after -- since reconstruction,  
25 the same sort of -- sort of silly rumors that are based on

1 innuendo and things that people hear in other communities  
2 without even going into an African-American community or a  
3 Latino community and actually seeing what is going on,  
4 just plain rumors.

5 MS. HARLESS: Are you ready for an answer?

6 MR. VEASEY: Absolutely.

7 MS. HARLESS: SB14 is similar to the  
8 case -- the legislation that was passed in Indiana that  
9 was upheld by the U.S. Constitution. It is similar to the  
10 bill that was filed in Georgia that was approved by the  
11 Department of Justice.

12 SPEAKER: Members, would you confine your  
13 comments to the amendment and the opposition to the  
14 amendment?

15 MS. HARLESS: This amendment takes out the  
16 showing the photo ID provision, and I -- I would request  
17 that everybody vote to table this.

18 MR. VEASEY: The point of your amendment or  
19 the point of your bill is to make sure that no one casts a  
20 fraudulent ballot. The point of your bill is to make sure  
21 no one commits voter impersonation.

22 Now, if someone for whatever reason does  
23 not have a very narrow list of identification that you  
24 have required on this bill, I just want to make sure that  
25 they have the right to vote. And currently, under your

1 bill, they would not. They would just have to go home.  
2 They will have been discriminated against. They will not  
3 have had the right to vote.

4 SPEAKER: Mr. Veasey, would you confine  
5 your comments to questions, please? You can use the front  
6 mic when it's your turn.

7 MR. VEASEY: I'm asking a question. So, my  
8 point is you -- is why would you not want to accept this  
9 amendment so everyone can vote until proven that they were  
10 guilty by committing voter fraud or voter impersonation?

11 MS. HARLESS: This amendment changes the  
12 intention of the bill, which the intention of the bill is  
13 that we restore integrity in elections by people showing  
14 they are who they say they are when they show up to vote.

15 MR. VEASEY: Thank you, Ms. Harless.

16 SPEAKER: Mr. Veasey, do you intend to  
17 close? Do you wish to close? Mr. Veasey sends up an  
18 amendment. Ms. Harless moves to table. The motion -- the  
19 vote is on the motion to table. A record vote requested.  
20 A record vote is granted. The clerk will ring the bell.  
21 This is on the motion to table. Show Ms. Harless voting  
22 aye. Show Mr. Strama voting no. Have all members voted?

23 There being 99 ayes and 48 nays, the motion  
24 to table prevails. The following amendment. The clerk  
25 will read the amendment.

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(End of Volume 1)

1 REPORTER'S CERTIFICATE

2 HOUSE FLOOR DEBATE

3 March 23, 2011

4

5 I, Shauna Foreman, Certified Shorthand Reporter  
6 in and for the State of Texas, hereby certify to the  
7 following:

8 That the above transcript of the meeting is a  
9 true record of the testimony given to the best of my  
10 ability, having been transcribed from videotape;

11 That a copy of this certificate was served on  
12 all parties and/or the witness shown herein on  
13 \_\_\_\_\_.

14 I further certify that pursuant to FRCP Rule  
15 30(f)(1), the signature of the deponent:

16 \_\_\_\_\_ was requested by the deponent or a party  
17 before the completion of the deposition and that the  
18 signature is to be before any notary public and returned  
19 within 30 days (or \_\_\_\_\_ days, per agreement of counsel)  
20 from date of receipt of the transcript. If returned, the  
21 attached Changes and Signature page contains any changes  
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1 related to, nor employed by any parties or attorneys in the  
2 action in which this testimony is taken, and further that  
3 I am not financially or otherwise interested in the outcome  
4 of this action.

5 Certified to by me on this the 21st day  
6 of April, 2012.

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11 Expiration: 12/31/2012  
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House Floor Debate - Volume II

March 23, 2011

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TEXAS HOUSE OF REPRESENTATIVES

2011 (82R) SB 14

3/23/11 House Floor Debate (Emergency Calendar)

Volume 2

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1 SPEAKER: Mr. Veasey, do you intend to  
2 close? Do you wish to close.

3 Mr. Veasey sends up an amendment.

4 Ms. Harless moves to table. The motion -- excuse me.

5 The vote is on the motion to table. Record vote  
6 requested. A record vote is granted. The clerk will  
7 ring the bell. This is on the motion to table. Show  
8 Ms. Harless voting aye. Show Mr. Strama voting no.

9 Have all members voted?

10 There being 99 ayes, 48 nays, the motion to  
11 table prevails.

12 Following the amendment, the clerk will read  
13 the amendment.

14 CLERK: Amendment by Dutton.

15 SPEAKER: The Chair recognizes Mr. Dutton.

16 REPRESENTATIVE DUTTON: Mr. Speaker and  
17 Members, on Page 6 of the bill, there are certain  
18 requirements that indicate that the voter registration  
19 certificate or the provisions of this bill do not apply.  
20 We just did away with the 70 year old amendment, and so,  
21 it leaves the disabled but what this amendment simply  
22 does, it says that if the election judge --

23 And I might back up a minute because I want  
24 to just share with you what the -- what the origin of  
25 this amendment happened to be.

1                   Mr. Speaker, could we have a little bit  
2 better order?

3                   SPEAKER: Members, can we have some order so  
4 you can hear Mr. Dutton explain his amendment.

5                   REPRESENTATIVE DUTTON: Thank you,  
6 Mr. Speaker.

7                   Both of my parents were election judges.  
8 Between them, they had over 50 years of being an  
9 election judge in Houston and Harris County.

10                  And, generally, one of us, one of my  
11 siblings and I, we would -- on the morning of the  
12 election, we would essentially take either my mom or my  
13 dad to the polling place and, before I got elected, help  
14 them get the -- to set up the whole polling place so  
15 there could be an election.

16                  Under this bill, if my amendment didn't  
17 pass, what would happen is I could do all of that, I  
18 could go and get it all set up, and once it was time for  
19 me to vote in that precinct, I would have to take out my  
20 ID and show it to my mother and dad.

21                  That didn't make any sense to me, and so,  
22 that's why I am offering this amendment because I  
23 believe that most of the precinct judges, most of the  
24 election judges, if they're like the ones that I know,  
25 they know just about everybody in that polling place.

1 They know everybody there.

2 In fact, my mother and dad got to the point  
3 where they could tell you what time a particular person  
4 was going to show up at the polls.

5 And so, what this amendment does is simply  
6 makes an exception that says for -- in the instance  
7 where the precinct judge, the election judge actually  
8 knows -- personally knows the person -- I think that  
9 saves all of this other stuff that's going on with this  
10 bill but it certainly provides an opportunity for us to  
11 not to have to burden the election process because it  
12 simply that means the election judge actually affirms  
13 that they personally know who it is that is appearing at  
14 the polling place, and that's what this amendment does,  
15 Mr. Speaker and Members.

16 SPEAKER: Ms. Harless, is the amendment  
17 acceptable?

18 The chair recognize Mr. Hancock speaking  
19 against the amendment.

20 REPRESENTATIVE HANCOCK: Yes, Members, what  
21 this amendment does actually is it adds subjectivity to  
22 the election judge and really goes against what we need  
23 in total fairness and objectivity and that we stick with  
24 the current code and standards as defined in the  
25 statute.

1                   I believe at this time the intention of the  
2 author is to table.

3                   SPEAKER: Mr. Dutton, do you care to close?  
4 Do you care to close, Mr. Dutton? The Chair recognize  
5 Mr. Dutton.

6                   REPRESENTATIVE DUTTON: All right. There  
7 was a little confusion. I didn't hear that he made the  
8 motion to table. I don't -- unless there's something  
9 going on in this bill that I don't understand, it is  
10 designed to protect the integrity of the voting process,  
11 and I don't know what better way to protect that than to  
12 limit the ability of someone to show up at the polling  
13 place and vote except by virtue of the fact that the  
14 polling -- the election judge actually knows the person.

15                  I don't -- that makes no sense to me, and  
16 so, if I actually know the person and that person is  
17 personally somebody I know personally and even if they  
18 didn't have an ID but they had their voter registration  
19 card, I don't know why I wouldn't let them vote.

20                  Can you imagine a scenario where I have gone  
21 to take my parent -- one of my parents over to the  
22 polling place, I, all of the sudden, got there about  
23 6:00 o'clock in the morning, which we typically did, got  
24 the polls, helped them set up the polling place, helped  
25 them set up the voting booth and then said, "Oh, I

1 forgot my wallet at home, mom."

2 And then my mom said, "Why do you need  
3 that?"

4 "Well, you need that because this particular  
5 bill, Senate Bill 14, says I have to have a picture ID."

6 My mom would look at me and think I had  
7 absolutely gone crazy. And I think that's what most  
8 people are going to think about this legislature, that  
9 if you don't let the election judge say that I  
10 personally know this person, so, why do they need to go  
11 home and get their ID, then there must be something  
12 other than protecting the integrity of the election  
13 process that this bill is attempting to do.

14 And so, with that, Mr. Speaker and Members,  
15 I would ask you to vote no on the motion to table and  
16 prove to the people in Texas that common sense is  
17 actually common in this legislature.

18 SPEAKER: Mr. Dutton sends up an amendment.  
19 Mr. Hancock moves to table. The motion is -- excuse me.  
20 The vote is on the motion to table. Record vote has  
21 been requested. Record vote is granted. The clerk will  
22 ring the bell. Show Ms. Harless voting aye.  
23 Ms. Chen-Button voting aye.

24 Have all members voted?

25 Being 100 ayes, 48 nays, the motion to table

1 prevails.

2 Following the amendment, the clerk will read  
3 the amendment.

4 Is Mr. Eiland on the floor?

5 CLERK: Amendment by Eiland.

6 SPEAKER: The chair recognizes Mr. Eiland.

7 REPRESENTATIVE EILAND: Mr. Speaker,  
8 Members, being someone that has been through a hurricane  
9 very close to the election date, this is the reason that  
10 I bring this amendment to you.

11 Those of us on the coast, when hurricane  
12 season is -- runs until November 1st, which is after the  
13 completion of hurricane season, this is a very real  
14 danger for us. And so, what we have is that if you have  
15 an area that has been -- that is a declared natural  
16 disaster by the governor or the president of the United  
17 States, then you sign an affidavit that says if you  
18 don't have a your ID because of that, then you think go  
19 ahead and vote.

20 This is a very real issue as in the storm in  
21 Galveston after Hurricane Ike, people were actually  
22 locked out of the island for many days and lost  
23 everything.

24 So, this is -- also wild fires in West Texas  
25 could be at issue. So, that's what this amendment does,

1       it just creates an ability to execute an affidavit if  
2       there's a natural disaster and you don't have a photo ID  
3       for that reason.

4                   SPEAKER: Mr. Eiland sends up an amendment.  
5       The amendment is acceptable to the author. Is there any  
6       objection? The Chair hears none. The amendment is  
7       adopted.

8                   Following the amendment, the clerk will read  
9       the amendment.

10                  Mr. Raymond.

11                  CLERK: Amendment by Raymond.

12                  SPEAKER: The Chair recognizes Mr. Raymond.

13                  REPRESENTATIVE RAYMOND: Thank you,  
14       Mr. Speaker, Members.

15                  Member, under current law, an employer has  
16       to give you time to go vote. However, with this new --  
17       with the new provisions that are being proposed in this  
18       legislation, an employer does not have to give you time  
19       to go get the ID -- the proper ID that you need to  
20       comply with this proposed bill.

21                  So, my amendment would simply say that if  
22       you do not have the proper ID and you can show that your  
23       employer did not permit you to take time to go get the  
24       ID necessary, that you would then be exempt from the  
25       provision in this bill.

1 SPEAKER: Madam, door keeper, for what  
2 purpose?

3 DOOR KEEPER: Hear from the Senate at the  
4 door of the House.

5 SPEAKER: Admit the messenger.

6 MESSENGER: Mr. Speaker, I'm directed by the  
7 Senate to inform the House that the Senate has taken the  
8 following action.

9 SPEAKER: The amendment is temporarily  
10 withdrawn.

11 Following the amendment, the clerk will read  
12 the amendment. Representative Martinez.

13 CLERK: Amendment by Martinez.

14 SPEAKER: The Chair recognizes Mr. Martinez.

15 REPRESENTATIVE MARTINEZ: Okay. Thank you,  
16 Mr. Speaker, Members.

17 We need to understand that there's no such  
18 thing as a free ID, and according to Texas and DPS, a  
19 person applying for a state ID must apply in person,  
20 present documents that verify their identity, complete  
21 an application and consent to be photographed,  
22 fingerprinted and provide your signature.

23 So, you must perform one of the forms of  
24 primary ID and two forms of secondary ID or one form of  
25 secondary and two forms of supporting ID.

1                   So, for primary ID, it includes Texas  
2 driver's license, U.S. citizenship certificate or  
3 certificate of naturalization, unexpired citizen ID  
4 card, resident alien card or temporary resident ID card,  
5 employment authorization card, foreign passport with a  
6 visa or U.S. military state card.

7                   Secondary ID forms include original or  
8 certified copy of your birth certificate, an original or  
9 certified copy of the U.S. Department of State  
10 certification or birth abroad and, finally, an original  
11 or certified copy of the court order with the name and  
12 the date of birth, indicating the official change of  
13 name.

14                   Some supporting IDs include vehicle titles,  
15 insurance policies, military records, original marriage  
16 license or divorce decrees, Social Security cards,  
17 actual pilot's license cards or expired driver's  
18 license.

19                   So, Members, needless to say, it takes an ID  
20 to get an ID. So, therefore, we need to ensure that if  
21 we truly want to provide a free ID here in Texas for our  
22 voters that it actually is free, and to get this ID, it  
23 does cost you money.

24                   SPEAKER: Mr. Walle, for what purpose?

25                   REPRESENTATIVE WALLE: Mr. Speaker, will the

1 gentleman yield?

2 SPEAKER: Would you yield?

3 REPRESENTATIVE MARTINEZ: Yes. Yes, sir, I  
4 will.

5 SPEAKER: He will.

6 REPRESENTATIVE WALLE: Representative  
7 Martinez, doesn't the bill currently allow you to get a  
8 free ID?

9 REPRESENTATIVE MARTINEZ: What is that?

10 REPRESENTATIVE WALLE: Doesn't the bill  
11 currently allow you to get a free ID?

12 REPRESENTATIVE MARTINEZ: Well, the bill  
13 says it allows you to get a free ID but, as seen, it  
14 takes an ID to get an ID.

15 So, let's say, for example, that you lose  
16 your driver's license, Mr. Walle, what happens -- what  
17 has to happen, you need to go and try to obtain a birth  
18 certificate that you have to pay, you need to get a  
19 certified copy that you pay \$22.

20 So, we're simply trying to say that if the  
21 State is interested in providing free IDs, they should  
22 truly be free. So, if you lose your ID, you don't have  
23 to go and pay to get a registered ID, that document  
24 should be free. That's all we're saying.

25 REPRESENTATIVE WALLE: Okay. Can you give

1 me an example of what fees you -- what fees you see  
2 being incurred?

3 REPRESENTATIVE MARTINEZ: Sure. Like I  
4 mentioned that earlier, if I currently don't know where  
5 my original birth certificate is, it's probably still at  
6 my parents' house, for example, if I lost my Texas  
7 driver's license and tried to get the state issued free  
8 ID card, I would still have to incur a cost because I  
9 would have to provide a certified copy of my birth  
10 certificate. So, if I didn't know where that birth  
11 certificate was and I had to go and try and find that  
12 and I had to get a certified copy of that birth  
13 certificate, in trying to obtain and get a certified  
14 copy of the birth certificate, you have to pay \$22.

15 So, you're going to have to go down to your  
16 local vital statistics and pay \$22 in order to get that.  
17 And we're simply trying to say that if we're interested  
18 in obtaining a free ID card, that it should be free.

19 REPRESENTATIVE WALLE: Thank you.

20 SPEAKER: The Chair recognizes Representative  
21 Harless.

22 REPRESENTATIVE HARLESS: Members, I'd like  
23 to make a motion to table this. The bill is about voter  
24 ID, not issuing documents for free ID.

25 SPEAKER: The Chair recognizes

1 Representative Martinez.

2 REPRESENTATIVE MARTINEZ: Okay. Members, so  
3 then we're going to tell the people of Texas -- we're  
4 going to tell them that they're getting a free ID when  
5 they really aren't.

6 So, if you're going to go -- you lose your  
7 driver's license and you have to go obtain an ID, you're  
8 going to have get a certified copy of your birth  
9 certificate, so, you're still going to have to get --  
10 you have to pay for that.

11 So, all we're saying is if this is free, do  
12 not allow the people to have to go and pay for a  
13 certified copy of your birth certificate. If it's free,  
14 it should be a free across the board. So, let's not  
15 charge the people of Texas in order to vote.

16 That is a hidden poll tax on the people of  
17 Texas, Members, and I vote no on that motion to table.

18 SPEAKER: Mr. Martinez sends up an  
19 amendment. Representative Harless moves to table. The  
20 vote is on the motion to table. It's a record vote.  
21 The clerk ring the bell. Representative Gonzalez from  
22 El Paso voting no. Show Representative Harless voting  
23 aye. Show Representative Berman voting aye.

24 Have all voted? Being 100 ayes and 49 nays,  
25 motion to table prevails.

1                   Following the amendment, the clerk will read  
2 the amendment.

3                   CLERK: Amendment by Raymond.

4                   SPEAKER: The Chair recognizes  
5 Representative Raymond.

6                   REPRESENTATIVE RAYMOND: Thank you,  
7 Mr. Speaker, Members. This is an amendment I started  
8 laying out a little while ago.

9                   Members, as you know, what this bill  
10 proposes is that you have to have your voter  
11 registration card. You have to show you're registered.

12                   Under current law, employers have to let you  
13 go vote. What they don't have to do is they don't have  
14 to let you go get the identification that you need to  
15 comply with this new proposed law.

16                   So, what I do with this amendment is say if  
17 you're a registered voter, you've got your registration  
18 card and you go to vote but you don't have the requisite  
19 ID that's laid out in this bill and you present a  
20 paycheck or a copy of another official employment  
21 document that includes the information of the voter's  
22 employer and informs the election officer that the  
23 voter's employer does not permit the voter to be absent  
24 from work for the purpose of obtaining photo  
25 identification and that offices of the Department of

1       Public Safety are not open for at least two consecutive  
2       hours outside of the voter's working hours.

3               Very simply, Members, there will be people  
4       out there who are registered to vote but whose employers  
5       will not give them the time, as they currently have to  
6       under law, give them time to go vote, they won't give  
7       them the time to go get the ID that they need. So,  
8       that's what this amendment is about. Move adoption.

9               SPEAKER: The Chair recognizes  
10      Representative Van Taylor in opposition.

11              REPRESENTATIVE VAN TAYLOR: Mr. Speaker,  
12      Members, I rise in opposition to this amendment. This  
13      deals with people who already have jobs, and in order to  
14      have a job in this country, an individual must fill out  
15      an I-9 form. An I-9 form requires identification. So,  
16      I'm not really sure where this is coming from because  
17      these people already had ID to get a job in the first  
18      place. I move to table this amendment.

19              SPEAKER: Mr. Raymond, for what purpose?

20              REPRESENTATIVE RAYMOND: Mr. Speaker, will  
21      the gentleman yield?

22              SPEAKER: Will the gentleman yield?

23              REPRESENTATIVE VAN TAYLOR: I yield.

24              REPRESENTATIVE RAYMOND: Repeat that,  
25      Mr. Van Taylor, because I didn't quite hear you. I

1 apologize.

2 REPRESENTATIVE VAN TAYLOR: Sure. For an  
3 individual -- for a U.S. citizen -- and there are --  
4 only U.S. citizens should be registered to vote in this  
5 state -- to have a job, they must fill out an I-9 form  
6 for their employer. To fill out an I-9 form, they have  
7 to have some form of identification.

8 REPRESENTATIVE RAYMOND: Okay. So, is there  
9 a scenario that you can envision, Mr. Van Taylor, where  
10 somebody went to work for you, let's say, ten years ago,  
11 right, and they had to fill out the proper forms and  
12 show you the proper ID, et cetera, right?

13 REPRESENTATIVE VAN TAYLOR: Correct.

14 REPRESENTATIVE RAYMOND: Ten years ago. Can  
15 you imagine that there would be an instance in this  
16 state of 25 million people where registered and eligible  
17 voters might for some reason ten years later -- might  
18 for some reason ten years later not have the ID that is  
19 being required in this bill? Could you imagine that  
20 scenario?

21 REPRESENTATIVE VAN TAYLOR: Yes.

22 REPRESENTATIVE RAYMOND: Okay. So, you can  
23 imagine what I'm trying to get to here, which is you're  
24 exactly right, if they work for Van Taylor and they show  
25 up at the polling place and they have a voter

1 registration card and they have something from Van  
2 Taylor, Inc. saying, you know, "I did not provide them  
3 time to go get a new ID as is required by this bill" --

4 REPRESENTATIVE VAN TAYLOR: There was a  
5 question there somewhere, I'm sure.

6 REPRESENTATIVE RAYMOND: Yeah. I just said  
7 can you imagine that if somebody worked for you, you  
8 hired them legally ten years ago, some point since then  
9 they lost the ID, this bill passes, this bill becomes  
10 law, they lost their ID but Van Taylor, Inc. didn't let  
11 them -- give them time during the day to go get the ID  
12 that they needed, you can also imagine in a state of 25  
13 million people that there could be instance like that?

14 REPRESENTATIVE VAN TAYLOR: Well, in the  
15 example you just gave, there are opportunities for  
16 someone to get their driver's license either on line, as  
17 many of us have done, or -- or by mail.

18 REPRESENTATIVE RAYMOND: I'm not sure you  
19 can go get our -- what you're asking for in this bill,  
20 that you could get it on line.

21 REPRESENTATIVE VAN TAYLOR: The original  
22 form of identification, which you would have to have for  
23 the I-9 form, since we're only talking about the  
24 employed people who are U.S. citizens, you can -- you  
25 have to show up in person to get your first driver's

1 license, to get photo ID, we have to take your picture  
2 somehow, of course. Subsequently, after we've gotten  
3 your picture, you can renew for a number of times on  
4 line.

5 REPRESENTATIVE RAYMOND: You haven't had  
6 your driver's license for six years?

7 REPRESENTATIVE VAN TAYLOR: One moment.

8 SPEAKER: Stop the clock.

9 REPRESENTATIVE VAN TAYLOR: There's  
10 extensive training for poll workers and election judges  
11 in how to handle it when someone doesn't have  
12 identification. We already have -- we have a  
13 provisional ballot system but the supposition that  
14 you're making that people may show up to the polls  
15 without an ID, which could happen and this bill  
16 envisions that and gives the voter the opportunity to  
17 take care of that, but your original premise that people  
18 who are employed in this state don't have photo ID  
19 doesn't hold up when you look at the federal requirement  
20 for the I-9 form.

21 REPRESENTATIVE RAYMOND: Well, it does, as  
22 you acknowledged just a minute ago that if somebody went  
23 to work for you ten years ago and you hired them  
24 legally, that ten years later, they might not have the  
25 ID that they had ten years ago. They might have lost

1       it. Would you -- you acknowledged that earlier. Would  
2 you acknowledge that now?

3                    REPRESENTATIVE VAN TAYLOR: I do.

4                    REPRESENTATIVE RAYMOND: Finally, let me ask  
5 this, Mr. Van Taylor: Do you know what those of us who  
6 are opposed to this legislation are doing? We're trying  
7 to protect voting rights. You recognize that, right?

8                    REPRESENTATIVE VAN TAYLOR: Absolutely, as  
9 are the proponents of this bill. We seek to protect  
10 voting rights by protecting the --

11                  REPRESENTATIVE RAYMOND: Then let me ask you  
12 this --

13                  REPRESENTATIVE VAN TAYLOR: -- by making  
14 sure that every vote counts, and that's what this bill  
15 is ultimately about and what we seek to do in our  
16 support of voter ID.

17                  REPRESENTATIVE RAYMOND: Let me ask you a  
18 simple question. Do you believe the Voting Rights Act  
19 is a good law?

20                  REPRESENTATIVE VAN TAYLOR: I believe the  
21 Voting Rights Act did a great thing to protect  
22 Americans' right to vote, all Americans regardless of --

23                  REPRESENTATIVE RAYMOND: So, you believe the  
24 Voting Rights Act is still necessary?

25                  REPRESENTATIVE VAN TAYLOR: Yes.

1                   REPRESENTATIVE RAYMOND: Is that because you  
2 believe discrimination still exists?

3                   REPRESENTATIVE VAN TAYLOR: I think of the  
4 Voting Rights Act -- there are many aspects of it that  
5 protect our ability to vote.

6                   REPRESENTATIVE RAYMOND: Well, if it's  
7 protecting discrimination in the voting place, so, if  
8 you believe it's a good law, do you believe  
9 discrimination in the voting place still exists?

10                  REPRESENTATIVE VAN TAYLOR: I'm not sure  
11 where you're going with this.

12                  REPRESENTATIVE RAYMOND: No. No. This  
13 is -- it's I'm not going anywhere. This is very simple.  
14 This is about protecting voting rights, and I asked you  
15 if you believed the Voting Rights Act was a good law.  
16 You said yes, right?

17                  REPRESENTATIVE VAN TAYLOR: This bill that  
18 we're debating right here on the floor is about voter  
19 identification at the polling station when people vote  
20 in the State of Texas.

21                  REPRESENTATIVE RAYMOND: And any time you  
22 deal with a law that has to do with voting, you have to  
23 take into consideration the rights of people to vote.  
24 Any time you deal with a law as comprehensive and big as  
25 this -- as comprehensive and big as this, you have to

1 take into account people's voting rights. You would  
2 agree with that, right?

3 REPRESENTATIVE VAN TAYLOR: I think that it  
4 is important to remember that this bill is about making  
5 sure that the right people show up on election day  
6 and --

7 REPRESENTATIVE RAYMOND: That the right  
8 people show up on election day?

9 REPRESENTATIVE VAN TAYLOR: Well --

10 REPRESENTATIVE RAYMOND: Who are the right  
11 people?

12 REPRESENTATIVE VAN TAYLOR: The people who  
13 are registered vote and can demonstrate they are who  
14 they say they are through having proper voter  
15 identification.

16 REPRESENTATIVE RAYMOND: Again -- and I'll  
17 let you go after this but I just want to establish you  
18 and I serve on committees together, it's been great  
19 getting to know you. You acknowledge that we still need  
20 the Voting Rights Act because the Voting Rights Act  
21 prevents discrimination in the polling place and if you  
22 still think we need it, presumably you believe there's  
23 still problems?

24 REPRESENTATIVE VAN TAYLOR: Mr. Chairman, as  
25 you well know, this -- this type of legislation, voter

1 identification, has been approved under the Voters Right  
2 Act in other states. I mean, this is -- this has  
3 already been litigated by other states.

4 But the point of your amendment, coming back  
5 to what I think you wanted to talk about here today,  
6 which is the ability of people who have jobs who somehow  
7 might not have identification, those people in this  
8 country who have jobs have to fill out an I-9 form.  
9 That requires identification.

10 REPRESENTATIVE RAYMOND: And along those  
11 lines, according to the -- what web site is this -- the  
12 Workforce Commission, it says in order to get an I-9,  
13 you have to have a voter registration card and a Social  
14 Security account number to get an I-9, which means those  
15 are the two things you need to get a photo ID.

16 REPRESENTATIVE VAN TAYLOR: That is -- those  
17 are two possible combinations from list A -- excuse  
18 me -- from list B and list C.

19 REPRESENTATIVE RAYMOND: That's all you  
20 need. So, to get an I-9, you need a voter registration  
21 card and a Social Security card. So, would you agree  
22 then that if somebody has a voter registration card and  
23 Social Security card, they ought to be able to vote,  
24 too, if they're registered to vote, obviously?

25 REPRESENTATIVE VAN TAYLOR: Clearly.

1                   REPRESENTATIVE RAYMOND: You do? Then I can  
2 offer that amendment. Do you want to -- do you want to  
3 tell Ms. Harless back there? Do you want to offer it  
4 together?

5                   REPRESENTATIVE VAN TAYLOR: Look, we -- it  
6 is important that we have a voter identification  
7 requirement in this state to make sure that when people  
8 show up to vote, they are who they say that they are.

9                   REPRESENTATIVE RAYMOND: Do you think it is  
10 sufficient, as it is under law, that in order to get an  
11 I-9 card, which you hang this whole thing on, that all  
12 you need are a voter registration card and a Social  
13 Security number? Do you think that's sufficient to get  
14 an I-9 card? That's what the law is. Do you agree with  
15 the law or disagree with it?

16                  REPRESENTATIVE VAN TAYLOR: Mr. Chairman,  
17 this is a narrowly-defined bill. It is designed to make  
18 sure that the people who show up to vote are, in fact,  
19 who they say they are. The fact is it is too simple to  
20 steal a voter identification card and use that for in  
21 person ballot fraud.

22                  I have witnessed it with my own eyes. We  
23 talked about this Monday, in Representative Anchia's  
24 district. I watched somebody walk in and say, "Somebody  
25 took my voter registration card. I'm here to vote," and

1       they were denied the right to vote.

2                   SPEAKER: Representative Sheffield raised a  
3 point of order, gentlemen. Time is expired. Point of  
4 order --

5                   REPRESENTATIVE RAYMOND: Mr. Speaker, I'd  
6 ask that the -- that our exchanged be reduced to writing  
7 and entered in the journal.

8                   Thank you.

9                   SPEAKER: Now that you've heard the motion,  
10 is there objection?

11                  The Chair hears none. So ordered.

12                  The Chair recognizes Mr. Raymond to close.

13                  REPRESENTATIVE RAYMOND: Members, I know  
14 it's hard to listen when we've got an extended debate  
15 but as Mr. Van Taylor just mentioned, an I-9 form -- an  
16 I-9 ID is very important in his world as an employer,  
17 and all you need to get an I-9 form is a voter  
18 registration card and a Social Security number.

19                  I -- basically, what I'm doing with this  
20 amendment is matching it up to what we do right now to  
21 get an I-9 form.

22                  To not pass this -- to not pass this  
23 amendment, which the motion has been made to table, to  
24 not pass this amendment when current law in the State of  
25 Texas, which I imagine many of the members in here voted

1 for, says that all you need for an I-9 card is a  
2 voter registration card -- an I-9 ID is a voter  
3 registration card and a Social Security number, that  
4 that works there but when it comes to voting, you're  
5 going to vote down an amendment -- if you vote aye on  
6 the motion to table, you're voting down an amendment  
7 that says voting -- you have less protections as a voter  
8 and less rights as a voter than you do as a worker.

9 So, I ask that you vote no on the motion to  
10 table and -- and I think that Mr. Van Taylor asks that  
11 you vote aye.

12 SPEAKER: Representative Raymond sends up an  
13 amendment. Mr. Van Taylor moves to table. The question  
14 is on the motion to table. Record vote. Clerk will  
15 ring the bell.

16 Show Mr. Van Taylor voting aye. Show  
17 Ms. Harless voting aye. Show Mr. Raymond voting no.

18 Have all voted? Being 101 ayes and 48 nays,  
19 motion to table prevails.

20 Following the amendment, clerk will read the  
21 amendment.

22 CLERK: Amendment by Duke.

23 SPEAKER: The Chair recognizes  
24 Representative Dukes.

25 REPRESENTATIVE DUKES: Thank you,

1       Mr. Speaker, Members. This is a very simple amendment.  
2       It allows for a temporary driving permit issued to the  
3       person by the Department of Public Safety to be used as  
4       a valid form of identification enabled to vote.

5                   A temporary driver's permit is issued by the  
6       State of Texas. It shows the name and address of the  
7       person and includes an expiration date.

8                   In order to qualify, a person -- the permit  
9       must include the person's name, the Texas driver's  
10      license number, their birth date, their address, a  
11      physical description of them.

12                  Having a temporary driving permit shouldn't  
13       hindered a person's ability to vote and, if adopted,  
14       would allow more individuals to have access to the  
15       voting process.

16                  SPEAKER: Mr. Villarreal, for what purpose?

17                  REPRESENTATIVE VILLARREAL: Mr. Speaker,  
18       will the gentlelady yield for questions?

19                  REPRESENTATIVE DUKES: I yield.

20                  SPEAKER: She yields.

21                  REPRESENTATIVE VILLARREAL: Ms. Dukes, how  
22       long has an out of state photo ID been an acceptable  
23       form of photo ID for voting?

24                  REPRESENTATIVE DUKES: Excuse me. Could  
25       you -- could you repeat the question?

1                   REPRESENTATIVE VILLARREAL: Sure. How long  
2 has an out of state photo ID been an acceptable form of  
3 ID for voting?

4                   REPRESENTATIVE DUKES: I'm not certain. Can  
5 you tell me?

6                   REPRESENTATIVE VILLARREAL: Well, since the  
7 75th legislature, in fact. I'm so glad you asked.

8                   Are you aware of any voter fraud involving  
9 the use of out of state photo ID?

10                  REPRESENTATIVE DUKES: I can't recall any.  
11 Can you tell me?

12                  REPRESENTATIVE VILLARREAL: Neither can I.  
13 I think there -- my understanding is that there has not  
14 been any documentation of an out of state photo ID being  
15 used in inappropriate voting.

16                  REPRESENTATIVE DUKES: You know --

17                  REPRESENTATIVE VILLARREAL: Thank you for  
18 your amendment.

19                  REPRESENTATIVE DUKES: You know, one would  
20 assume that this bill is strictly about having an ID to  
21 vote, not about creating an additional offense within  
22 the law as a reason why an individual would lose their  
23 right to vote.

24                  A temporary driver's permit usually is for,  
25 you know, individuals that may have an infraction far

1 less than the felony that a federal law or state law  
2 requires in removing one's license and not having the  
3 ability to vote. So, one would assume that one should  
4 not be penalized for a valid temporary driving permit  
5 from their right in the process to vote.

6 REPRESENTATIVE PHILLIPS: : Mr. Chairman,  
7 will the gentlelady.

8 REPRESENTATIVE DUKES: Yes, I yield.

9 REPRESENTATIVE PHILLIPS: Does the document  
10 you're talking about have a picture on it?

11 REPRESENTATIVE DUKES: Yes, sir. It has a  
12 physical description of the person.

13 REPRESENTATIVE PHILLIPS: Does it have a  
14 picture?

15 REPRESENTATIVE DUKES: Their height, their  
16 weight. In some cases, some of them do, in some cases,  
17 but it shows their name, their address, their expiration  
18 date. It's issued by the State of Texas.

19 REPRESENTATIVE PHILLIPS: Does it have --

20 REPRESENTATIVE DUKES: It has a driver's  
21 license number.

22 REPRESENTATIVE PHILLIPS: But you can't  
23 guaranty that it will have a picture on it if we vote  
24 for your amendment?

25 REPRESENTATIVE DUKES: A temporary driver's

1 permit, though, it's still issued by the State of Texas  
2 and it still has everything that --

3 REPRESENTATIVE PHILLIPS: Thank you.

4 REPRESENTATIVE DUKES: -- that could be  
5 used.

6 You are most welcome. And I move passage.

7 SPEAKER: The Chair recognizes  
8 Representative Harless in opposition.

9 REPRESENTATIVE HARLESS: Thank you, Members.  
10 I would request that you vote to table this amendment.

11 Temporary ID has a photo on it. We got a  
12 letter from the DPS saying that when they issue a  
13 temporary ID or a driver's license, they have photos on  
14 them.

15 They also testified that their time  
16 turnaround is 15 days. I ask that you table this.

17 REPRESENTATIVE DUKES: Mr. Speaker?

18 SPEAKER: Ms. Dukes, for what purpose?

19 REPRESENTATIVE DUKES: Will the gentlelady  
20 yield?

21 REPRESENTATIVE HARLESS: Yes.

22 SPEAKER: She yields.

23 REPRESENTATIVE DUKES: It's not necessarily  
24 true that all of the temporary driving permits have a  
25 picture on them. There are -- as a matter of fact, when

1 I requested some information from DPS on Friday, there  
2 are large numbers of individuals that have these  
3 temporary permits that do not have their IDs on them and  
4 they look more like this than what you're talking about  
5 but yet they are not individuals who have committed a  
6 felony under the law as to why their license would have  
7 been removed.

8                   Are you -- is it your intent to create an  
9 additional penalty under the law to take away a person's  
10 right to vote by preventing them from having the ability  
11 to vote with a temporary driving permit?

12                   REPRESENTATIVE HARLESS: The -- the -- the  
13 specific ID spelled out in the bill is very, very broad.  
14 You can have a driver's license. You can have a Texas  
15 ID -- a Texas driver's license, a Texas ID, a passport.  
16 You can have a citizen certificate with your picture on  
17 it. You can have a concealed handgun license.

18                   These are standardized forms, and they're  
19 the acceptable forms for voting in person at -- on a  
20 polling day.

21                   Now, if you do not have one of those forms,  
22 you can always cast a provisional ballot and bring back  
23 the information and have your ballot counted.

24                   REPRESENTATIVE DUKES: Explain to me why a  
25 temporary driving permit issued by the State of Texas is

1 not good enough under your bill since you're the author  
2 of it. In your mind, why is it not good enough to have  
3 a temporary driving permit?

4 REPRESENTATIVE HARLESS: Because there's not  
5 necessarily on -- DPS says that they have a photo on  
6 their driver's license and ID cards that are temporary.

7 REPRESENTATIVE DUKES: Not true. There are  
8 some that use a form that look just like this. If we  
9 need to walk -- I know this is a far distance. If we  
10 need to walk it down to you, then we can do that but  
11 there are some temporary permits that may not have that  
12 ID but what I don't understand is that if it's a  
13 government, State of Texas issued temporary driving  
14 permit, why is that not good enough when it already has  
15 a physical description of the person, it has their  
16 address, it has their age, it has an expiration date,  
17 the color of their eyes, their height, their weight,  
18 noting their sex, why is that not good enough?

19 Is it just that you're trying to say that  
20 anyone -- anyone, even if it's not a felony because  
21 that's the only reason why someone's license would be  
22 suspended and they would not have the right to vote  
23 under the federal or state law, are you trying to say  
24 now that a misdemeanor or someone who is brand new just  
25 shouldn't have the right to vote? Because you're

1 stretching it.

2 REPRESENTATIVE HARLESS: Do you want me to  
3 answer or do you want to --

4 REPRESENTATIVE DUKES: I want you to answer  
5 directly on that question.

6 REPRESENTATIVE HARLESS: Okay. The  
7 temporary ID receipt does not have the security features  
8 that a physical ID card or driver's license has and it  
9 is easy to be duplicated. That is the reason we have --

10 REPRESENTATIVE DUKES: If a temporary  
11 driving permit is good enough to be used to drive and  
12 for many other purposes, why is it not good enough to  
13 vote when you haven't found any problems that you've  
14 been able to prosecute in the State of Texas?

15 REPRESENTATIVE HARLESS: We are talking  
16 about security features and showing that you are who you  
17 say you are when you show up to vote. A driver's  
18 license and ID card issued with a photo has those  
19 security provisions in it. A temporary driver's license  
20 or a temporary ID does not have those security features  
21 in it.

22 REPRESENTATIVE DUKES: So, you're saying  
23 that --

24 REPRESENTATIVE HARLESS: So, I'm saying that  
25 I'd like to make a motion to table.

1                   REPRESENTATIVE DUKES: So, you're saying to  
2 go in to vote, with these judges that are in the voting  
3 polling places, a temporary driving permit is not good  
4 enough for them but it's good enough for every officer  
5 who stops you on the street?

6                   REPRESENTATIVE HARLESS: I'm saying that we  
7 have to protect the ballot box and --

8                   REPRESENTATIVE DUKES: You have to protect  
9 the ballot box more than the police officer has to  
10 protect the street?

11                  REPRESENTATIVE HARLESS: By making sure that  
12 you show a photo ID and that you are the person that you  
13 say you are, and the temporary ID and the temporary  
14 driver's license can be duplicated and --

15                  REPRESENTATIVE DUKES: You're saying that  
16 the right to vote -- those -- not necessarily the right  
17 to vote but the people who are untrained working at the  
18 polls that they can't accept a temporary driving permit  
19 when the police officers can?

20                  REPRESENTATIVE HARLESS: Well, under the  
21 bill, the training of the poll workers is now mandated.  
22 It's not optional. So, they will be trained on how to  
23 recognize the ID.

24                  REPRESENTATIVE DUKES: So, you've just  
25 stated by your bill that anyone who is delinquent on

1       their child support, because they can have their  
2       driver's license pulled and have only a temporary ID,  
3       will no longer have the right to vote. That's a whole  
4       lot of people.

5                   REPRESENTATIVE HARLESS: They have a right  
6       to vote a provisional ballot.

7                   REPRESENTATIVE DUKES: But then you're  
8       making them -- your bill still makes them go and buy  
9       another form of ID. Why not use the ID that they are  
10      issued, a temporary driving permit?

11                  REPRESENTATIVE HARLESS: Well, and they'll  
12      have a permanent ID as soon as it comes in, usually  
13      within 15 days.

14                  REPRESENTATIVE DUKES: It sounds more like  
15      your bill is attempting to, one, create an offense under  
16      the law that prevents people from voting when it's not  
17      even a felony and the federal government doesn't prevent  
18      them from voting and, two, just to prevent people who  
19      you think are going to vote a certain way. Sad for the  
20      State of Texas. Really sad.

21                  REPRESENTATIVE HARLESS: I move to table.

22                  REPRESENTATIVE BURNAM: Mr. Speaker, would  
23      the lady yield? Mr. Speaker, will the lady yield?

24                  SPEAKER: Just a minute, Mr. Burnam.

25                  Ms. Harless yields.

1 REPRESENTATIVE BURNAM: I'm sorry.

2 Ms. Harless, did you yield?

3 REPRESENTATIVE HARLESS: Yes.

4 REPRESENTATIVE BURNAM: Thank you so much.

5 REPRESENTATIVE HARLESS: You're one of my  
6 favorites, of course.

7 REPRESENTATIVE BURNAM: Of course.

8 You may not be familiar, however, with the  
9 right of responsibility bill that Representative Berman  
10 and I both had in (Inaudible) public safety yesterday.  
11 And if you're not familiar with that bill, you may not  
12 be aware that every year -- every year for the last five  
13 years people have had -- 100,000 Texans a year have had  
14 their driver's license suspended. They've had that  
15 driver's license taken from them, and they are issued  
16 the form that Representative Dukes was showing you from  
17 the back mic.

18 And I'm just wondering what you propose to  
19 do. Are all 100,000 people per year just going to have  
20 to vote provisionally?

21 REPRESENTATIVE HARLESS: I don't know how  
22 many of those hundred thousand people are actually  
23 registered to vote.

24 REPRESENTATIVE BURNAM: Well, in theory,  
25 they have the opportunity, most of them, the ones that

1 are over 21 and qualify. So, let's just knock it down  
2 and say only 75,000 a year are denied the right to  
3 drive, their driver's license is suspended, are you  
4 going to say that these people are all going to have to  
5 vote provisionally?

6 REPRESENTATIVE HARLESS: If they don't have  
7 another alternative form of photo ID, such as a passport  
8 or citizenship paper with their photo on it or either a  
9 CHL license, if they --

10 SPEAKER: Representative Phillips raised a  
11 point of order. The gentleman's time expired. Point of  
12 order is well taken. Sustained.

13 The Chair recognizes Representative Harless.

14 REPRESENTATIVE HARLESS: I'm removing my  
15 motion to table so Representative Dukes may close on her  
16 amendment.

17 SPEAKER: The Chair recognizes  
18 Representative Dukes.

19 REPRESENTATIVE DUKES: Thank you,  
20 Mr. Speaker and Members. Thank you Representative  
21 Harless for giving me the ability to close on this  
22 amendment.

23 Members, having a temporary driving  
24 permit -- what class of voters would be excluded from  
25 voting if we didn't allow a temporary driving permit? A

1 temporary driving permit is issued to adult drivers,  
2 legal minorities and commercial truck drivers who may  
3 have lost their photo identification due to various  
4 offenses or alcohol related offenses.

5 These offenses are punishable under the  
6 Texas Transportation Code 524.011. Over 100,000  
7 individuals per year will be excluded if they are not  
8 allowed to utilize their temporary driving permit, which  
9 does not include a photo of them.

10 Now, why is the ID needed? Because young  
11 voters, adult drivers and commercial drivers or truck  
12 drivers who have a temporary driving permit should not  
13 be further punished by not being allowed to vote because  
14 they made a mistake while driving.

15 We have even had some who have been allowed  
16 to pass on and run for higher office with these little  
17 minor mistakes. So, we shouldn't take away their right  
18 to vote.

19 A driving infraction or mistake should not  
20 be punished by disallowing a person access to the polls  
21 because he or she carries an alternative ID.

22 We need to make sure when persons are  
23 punished for one action in our community, they are not  
24 punished for another action, especially one as important  
25 as their right to cast a vote.

1                   Under the federal --

2                   SPEAKER: Mr. (Inaudible), for what purpose?

3                   REPRESENTATIVE ALISEDA: Does the gentlelady  
4 yield?

5                   REPRESENTATIVE DUKES: Yes, I do yield.

6                   SPEAKER: She yields.

7                   REPRESENTATIVE ALISEDA: I practice some DWI  
8 law back home in my district, and one of the common  
9 occurrences is that an individual gets stopped and has  
10 over the blood alcohol limit that's required by law, has  
11 their license taken, and then there's a suspension  
12 procedure, and they're given a yellow form that is a  
13 temporary driving permit and it's good until there is a  
14 hearing and an administrative law judge makes a  
15 decision.

16                   When I have a client like that that needs  
17 identification, I send them down to the DPS office, and  
18 they are able to get a temporary identification card to  
19 use for the purposes that they need an identification  
20 for.

21                   So, in those instance that you're citing, I  
22 don't see any reason why -- or maybe you can tell me why  
23 they could not go to the DPS office and get this  
24 temporary -- excuse me -- this identification card,  
25 which is used -- a photo identification card, which is

1 used for purposes of identification and is also a valid  
2 ID form for voting in this state under this bill.

3 REPRESENTATIVE DUKES: Why should they have  
4 to go and get an additional one? You're basically --  
5 you're representing these individuals who are -- you're  
6 a defense attorney, is that what you're saying you are?

7 REPRESENTATIVE ALISEDA: Yes.

8 REPRESENTATIVE DUKES: With DWI?

9 REPRESENTATIVE ALISEDA: Yes.

10 REPRESENTATIVE DUKES: They've been charged  
11 by the Court once?

12 REPRESENTATIVE ALISEDA: Excuse me?

13 REPRESENTATIVE DUKES: They've been charged  
14 by the Court?

15 REPRESENTATIVE ALISEDA: Yes. They don't  
16 necessarily have to be charged by the Court because the  
17 charge still hasn't been filed. When the officer -- the  
18 DPS officer takes their identification because they've  
19 blown over the legal limit or because they've refused  
20 the blood test or the breath test, they are issued a  
21 yellow form, a license suspension form.

22 And they tell me, "What am I going to do now  
23 without a photo ID to go check out a movie," or whatever  
24 it is they need to do with a photo ID.

25 I send them over to the DPS office, and they

1 get a photo ID and they're able to function with their  
2 temporary permit, that little yellow piece of paper, and  
3 they use a photo ID from the DPS when they need to use a  
4 photo ID.

5 REPRESENTATIVE DUKES: Yeah, but, you know,  
6 that is -- what you're talking about is something a  
7 little bit different than the right -- the guaranteed  
8 right to vote.

9 They've had an offense under the law, and  
10 they are paying you to get them off of their DWI. So,  
11 you're giving them advice to do something but there are  
12 some folks who have these temporary IDs that they've  
13 already dealt with their situation. Now we're stating  
14 we're going to take away your ability -- or make it more  
15 difficult for you to have a right to vote.

16 REPRESENTATIVE ALISEDA: My point is they  
17 can go obtain the DPS ID, the same DPS ID that I tell my  
18 clients to go obtain.

19 REPRESENTATIVE DUKES: Why do you want to  
20 make it so much difficult for people to vote?

21 REPRESENTATIVE ALISEDA: It's not a question  
22 of making it difficult to vote.

23 REPRESENTATIVE DUKES: Yes, it is. Yes, it  
24 is, because it's not that difficult now. Who is it  
25 truly that you don't want to give the ability to vote?

1                   REPRESENTATIVE ALISEDA: That is not -- that  
2 is not my purpose.

3                   REPRESENTATIVE DUKES: Because I will tell  
4 you one thing, this temporary driving permit is going to  
5 affect a whole lot of people but not a whole bunch of  
6 them are going to live in my district. So, really, you  
7 need to think again about the argument.

8                   REPRESENTATIVE ALISEDA: It is my purpose to  
9 see that the system is fair and also that it is as  
10 secure as we can make it. There is nothing you can't do  
11 in this society that --

12                  REPRESENTATIVE DUKES: Many of us have been  
13 trying to do that since prior 1964, to make sure it was  
14 fair and secure but this law is changing a whole lot of  
15 the things that my ancestors went through. It's  
16 changing it by making it more difficult for my ancestors  
17 and people who look like me to have the ability to go  
18 and vote. It's making it more difficult for people who  
19 are disenfranchised to have the ability to go down and  
20 to get some form of ID because they will be charged an  
21 additional amount.

22                  This same concept of disenfranchisement  
23 that's taken away so many rights under HB 1 that will  
24 come up next week but I'll talk about that next week but  
25 don't take away the right that my people have had and

1 access to vote. Don't try to make it more difficult for  
2 my people to have the ability to vote.

3 REPRESENTATIVE ALISEDA: Ma'am --

4 REPRESENTATIVE DUKES: Do whatever you want  
5 for your DWI folks, whatever. You advise them as you  
6 please.

7 REPRESENTATIVE ALISEDA: Ma'am --

8 REPRESENTATIVE DUKES: But don't advise my  
9 folks.

10 REPRESENTATIVE ALISEDA: Ma'am, I'm an  
11 immigrant to this country, and I came from Mexico. Do  
12 you know what they require in Mexico? They require a  
13 biometric identification to vote.

14 REPRESENTATIVE DUKES: Well, we're in Texas.

15 REPRESENTATIVE ALISEDA: That means a  
16 picture ID, including a fingerprint.

17 REPRESENTATIVE DUKES: We're in Texas.  
18 We're in Texas, and a whole bunch of things are  
19 different in Texas. We're in America. We're in  
20 America, and a whole lot of things are different. And  
21 one thing that we did have going for us, at least we had  
22 civil rights but that seems to be being rolled back.

23 REPRESENTATIVE ALISEDA: Thank you, ma'am.

24 SPEAKER: Mr. Burnam, for what purpose?

25 REPRESENTATIVE BURNAM: Will the lady yield?

1 SPEAKER: Will you yield, Ms. Dukes?

2 REPRESENTATIVE DUKES: Yes.

3 SPEAKER: She yields.

4 REPRESENTATIVE BURNAM: Ms. Dukes, are you  
5 aware that my father-in-law and your constituent, the  
6 entire time you've been in office, Dr. Glenn Roarke, had  
7 his driver's license taken away from him for no cause,  
8 was not issued either -- any kind of documentation and  
9 had to make three different visits to three different  
10 DPS facilities here in Austin, Texas, taking over two  
11 hours each visit in order to get a temporary permit?

12 REPRESENTATIVE DUKES: No, I was not aware.

13 REPRESENTATIVE BURNAM: Ms. Dukes, are you  
14 aware that Tarrant County has grown exponentially in  
15 population over the last decade and now has over 1.7  
16 million, almost 1.8 million people in it and there are  
17 still only three DPS offices in the county and all three  
18 of them are outside the loop, not on bus lines?

19 REPRESENTATIVE DUKES: Wow, that's going to  
20 make it pretty difficult.

21 REPRESENTATIVE BURNAM: Yeah. Thank you.

22 SPEAKER: Representative (Inaudible) raised  
23 a point of order that the gentlelady's time has expired.  
24 The point is well taken.

25 REPRESENTATIVE DUKES: Vote against the

1 motion to table.

2 SPEAKER: Representative Dukes has an  
3 amendment. Representative Harless moves to table. The  
4 question is on the motion to table. All in favor vote  
5 aye, all opposed no. Clerk ring the bell. Show  
6 Ms. Dukes voting no.

7 Have all members voted? By a vote of 99  
8 ayes, 49 nays, 2 present not voting, the motion is  
9 tabled.

10 Following the amendment, the clerk will read  
11 the amendment.

12 CLERK: Amendment by Dutton.

13 SPEAKER: The Chair recognizes Mr. Dutton to  
14 explain his amendment.

15 REPRESENTATIVE DUTTON: Mr. Speaker and  
16 Members, as I read through the bill, one of the things  
17 that struck me was the reference to the personal  
18 identification certificate that's required under this  
19 bill.

20 And what this amendment simply does is just  
21 adds the two words voter's certificate to it so that it  
22 would now read a personal identification voter's  
23 certificate. And that's really all it does.

24 SPEAKER: The Chair recognizes  
25 Representative Harless to speak against the amendment.

1                   REPRESENTATIVE HARLESS: Members, there's  
2 certain information on your voter's certificate, your  
3 voter registration card. You will still continue under  
4 this legislation to get a voter's registration card that  
5 tells you your home precinct, your senatorial district,  
6 your congressional district.

7                   And this amendment replaces the voter  
8 registration card with a personal identification voter  
9 card. It's unnecessary and it would be expensive to the  
10 counties -- to the state. Sorry.

11                  SPEAKER: Mr. Dutton, for what purpose?

12                  REPRESENTATIVE DUTTON: Will the gentlelady  
13 yield?

14                  REPRESENTATIVE HARLESS: I will.

15                  SPEAKER: She yields.

16                  REPRESENTATIVE DUTTON: Ms. Harless, will  
17 you take a look at that amendment again because I don't  
18 think you really intended to misrepresent what the  
19 amendment does. Your bill -- do you know that your bill  
20 contains a reference to a personal identification  
21 certificate in here?

22                  REPRESENTATIVE HARLESS: Yes, that's the  
23 voter registration card.

24                  REPRESENTATIVE DUTTON: But it's called a  
25 personal identification certificate; isn't that right?

1 REPRESENTATIVE HARLESS: Right.

2 REPRESENTATIVE DUTTON: And that's what it's  
3 termed. And all this does is just makes it clear that  
4 that personal identification certificate is really a  
5 personal identification voter certificate, which is what  
6 I thought you intended it to be.

7 REPRESENTATIVE HARLESS: Your -- your  
8 personal identification voter card that is issued in the  
9 bill is a voter registration card issued by the  
10 registrar.

11 REPRESENTATIVE DUTTON: But it's not --

12 REPRESENTATIVE HARLESS: What you're --

13 REPRESENTATIVE DUTTON: -- called anything,  
14 is it?

15 REPRESENTATIVE HARLESS: Excuse me. What  
16 you're doing in Section 20 is addressing the  
17 Transportation Code, which, in essence, would mean  
18 everybody would get a voter ID card issued through the  
19 Texas Department of Transportation, and that would make  
20 it very expensive.

21 REPRESENTATIVE DUTTON: No. No.

22 REPRESENTATIVE HARLESS: We talked earlier  
23 about this dollar --

24 REPRESENTATIVE DUTTON: I think if you'll  
25 read the amendment more closely, what you'll realize is

1 that that's not what it does. What it does is simply  
2 says if you're getting the personal identification card  
3 for voter purposes, then it would be called a personal  
4 identification voter certificate.

5 That's -- that's really all it does. It  
6 doesn't change that. It doesn't change the part that  
7 you're suggesting that it does.

8 REPRESENTATIVE HARLESS: So, tell me what  
9 the purpose of this is.

10 REPRESENTATIVE DUTTON: So that -- so that  
11 there's a distinction being -- ought to be made between  
12 just a regular personal identification card and one that  
13 is designed solely for -- to be used as a voter. That's  
14 all it does.

15 REPRESENTATIVE HARLESS: I don't see that.

16 REPRESENTATIVE DUTTON: Well, it might  
17 require you to look at the amendment a little closer and  
18 the bill a little closer, too, because I think -- well,  
19 not you. You've got to do it like this but it doesn't  
20 change anything.

21 REPRESENTATIVE HARLESS: Well, do you want  
22 to talk about this some more because we haven't  
23 discussed this?

24 REPRESENTATIVE DUTTON: I think we have all  
25 night.

1 REPRESENTATIVE HARLESS: Okay.

2 SPEAKER: Representative Dutton sends up an  
3 amendment. Representative Harless moves to table.  
4 Representative Dutton to close.

5 REPRESENTATIVE DUTTON: Thank you,  
6 Mr. Speaker and Members. I thought this was an easy  
7 amendment but I guess not. Essentially, what this bill  
8 requires is if you want to go to the DPS to get a  
9 certificate for you to vote, then it's called under the  
10 bill a personal identification certificate.

11 What my amendment simply does is if you do  
12 that, it's called a personal identification voter's  
13 certificate. That's really all this does. And I  
14 don't -- I don't know. Maybe they don't -- it's not the  
15 amendment they don't like. Maybe it's the author but  
16 anyway, I move passage. I move -- all right. Okay.  
17 All these aw's, if you will change them to green light,  
18 to no votes, I will accept them.

19 SPEAKER: Mr. Dutton sends up an amendment.  
20 Representative Harless moves to table. All the aw's  
21 vote aye. All the nays vote no. Clerk ring the bell.

22 Have all voted? 96 ayes, 49 nays, 2 voters  
23 not voting, the motion tabled prevails.

24 Representative Allen. Following the  
25 amendment, the clerk will read the amendment.

1 CLERK: Amendment by Allen.

2 SPEAKER: The Chair recognizes Ms. Allen to  
3 explain her amendment.

4 REPRESENTATIVE DR. ALLEN: Mr. Chairman and  
5 Members, this is a very simple bill -- amendment. It  
6 simply provides for those people who -- as already in  
7 the bill who already have expired IDs and in the bill,  
8 if the bill is expired for 60 days, you can vote. If  
9 the bill is expired for 61 days, you cannot vote.

10 An example would be a young man on my staff  
11 who is there now ordered his driver's license to be  
12 replaced -- to replace his expired driver's license  
13 September, 2010.

14 In January, he still had not received his  
15 driver's license. He had to wait in line all day to  
16 request it again. After haggling about whether or not  
17 it had been sent, he finally agreed to process a renewal  
18 form.

19 After that -- those of you from Dallas know  
20 that a fire occurred in the Dallas/Fort Worth mail  
21 facility. DPS sent him a letter asking -- informing him  
22 that his license had been destroyed in the fire and that  
23 it would take another two or three weeks.

24 On or about March the 9th, 2011, he finally  
25 received his license. About that time, he received his

1 notice that his driver's license had been destroyed in  
2 the fire.

3 It took him almost six months to finally get  
4 his license renewed. He didn't have a U.S. military ID  
5 card. He didn't have a U.S. citizen certificate. He  
6 didn't have a port -- passport, nor did he have a  
7 concealed handgun license.

8 I can point out this situation to you. If  
9 he had been able to use his old driver's license or one  
10 of his IDs or state issued ID, as you have in the bill,  
11 he would have been able to vote.

12 Now, I want to save the State of Texas  
13 money. You say you're giving a free ID to those people  
14 who want to vote and walk in and request one for the  
15 purpose of voting.

16 SPEAKER: (Inaudible) for what purpose?

17 REPRESENTATIVE DR. ALLEN: I'm sorry, I'm  
18 laying out my --

19 REPRESENTATIVE GUTIERREZ: I don't think  
20 she's done yet, Mr. Speaker. I'll wait until she's  
21 done.

22 REPRESENTATIVE DR. ALLEN: -- for the  
23 purpose of voting. How much will it cost the State of  
24 Texas to furnish a free ID to all of the persons who  
25 will walk up and ask for a free ID for voting?

1                   That would possibly include like I have lost  
2 my driver's license right now, probably be me standing  
3 in line. Or the person whose license plates -- driver's  
4 license who have expired, any form of ID that you have  
5 in this bill.

6                   I'm simply asking that you extend the time  
7 to any driver's license -- or any ID issued by the state  
8 expired for any length of time. You are who you are.  
9 You do not change. This will save the state millions of  
10 dollars in free ID cards.

11                  It will give the opportunity for grandma --  
12 I know she's in there somewhere, we are in there  
13 somewhere, over 60, over 70, who doesn't drive any more  
14 but she had a driver's license, to use her old driver's  
15 license, for those who have had a wreck and become  
16 handicapped, had a driver's license, can't drive any  
17 more, could use their old ID.

18                  I simply ask that you extend the 60 days  
19 until any length of time. It would save the state  
20 millions and millions of dollars.

21                  SPEAKER: Mr. Gutierrez, for what purpose?

22                  REPRESENTATIVE GUTIERREZ: Yes, Mr. Speaker.

23                  Will the gentlelady yield for questions?

24                  SPEAKER: Do you yield?

25                  REPRESENTATIVE DR. ALLEN: I will. Thank

1 you.

2 SPEAKER: She yields.

3 REPRESENTATIVE GUTIERREZ: Representative  
4 Allen, you're aware that the State of Georgia has a  
5 voter identification, voter impersonation statute,  
6 whatever you want to call it, they have a similar type  
7 legislation in Georgia, you're aware of that, correct?

8 REPRESENTATIVE DR. ALLEN: I've heard that  
9 today.

10 REPRESENTATIVE GUTIERREZ: Did you know that  
11 in Georgia, Representative Allen, they require the  
12 same thing, a Georgia driver's license, even if expired?  
13 So, the good people of Georgia have determined that your  
14 amendment is a good idea and it has worked for them.

15 So, I think --

16 REPRESENTATIVE DR. ALLEN: I -- yes, I think  
17 it's a good amendment.

18 REPRESENTATIVE GUTIERREZ: So, you --

19 REPRESENTATIVE DR. ALLEN: It would be good.  
20 We wouldn't have to drag grandma to the DPS station.  
21 She could use her old card.

22 REPRESENTATIVE GUTIERREZ: So, if it's good  
23 enough for the people in Georgia, it should be good  
24 enough for the people in Texas, should it not?

25 REPRESENTATIVE DR. ALLEN: I think so.

1                   REPRESENTATIVE GUTIERREZ: Well, Dr. Allen,  
2 I think you have a very good amendment. It's,  
3 obviously, worked for the State of Georgia. I think  
4 that what we're talking about here is reasonableness.  
5 And as you stated earlier, our identities don't change.

6                   REPRESENTATIVE DR. ALLEN: That's right.

7                   REPRESENTATIVE GUTIERREZ: And we shouldn't  
8 burden people by simply -- they no longer need to go get  
9 that driver's license any more. Their old ID should  
10 work.

11                  REPRESENTATIVE DR. ALLEN: Right. It takes  
12 a burden off the people and a burden off the state, too.

13                  REPRESENTATIVE GUTIERREZ: Thank you, Dr.  
14 Allen. I appreciate it.

15                  REPRESENTATIVE DR. ALLEN: You're welcome.

16                  SPEAKER: Mr. Coleman, for what purpose?

17                  REPRESENTATIVE COLEMAN: Yes. Will the  
18 gentlelady yield for questions?

19                  REPRESENTATIVE DR. ALLEN: Yes,  
20 Representative Coleman.

21                  SPEAKER: She yields.

22                  REPRESENTATIVE COLEMAN: Representative  
23 Allen, first of all, if we tie something to a government  
24 ID that is not something that is permanent for all  
25 individuals and that ID expires because it is used for a

1 specific purpose, it wasn't -- not designed for  
2 voting --

3 REPRESENTATIVE DR. ALLEN: Right.

4 REPRESENTATIVE COLEMAN: -- do you think  
5 that an individual should be turned away or would they  
6 be turned away from voting if they had an expired  
7 license that went over a period of time, 61 days?

8 REPRESENTATIVE DR. ALLEN: No. I think that  
9 you are -- as I said, you are who you are, and after 61  
10 days, you don't change. You're the same person. I  
11 think that could -- that document can be used for  
12 voting, too.

13 REPRESENTATIVE COLEMAN: Okay. Because the  
14 difference that we're talking about is the idea that it  
15 has a picture, correct?

16 REPRESENTATIVE DR. ALLEN: Yes.

17 REPRESENTATIVE COLEMAN: Now, this is an  
18 interesting question. I went to get a driver's  
19 license -- renewal of a driver's license. You know you  
20 do it on line.

21 REPRESENTATIVE DR. ALLEN: Uh-huh.

22 REPRESENTATIVE COLEMAN: Right? And in the  
23 period of time that you're waiting for your driver's  
24 license, you have a piece of paper with no picture on  
25 it.

1 REPRESENTATIVE DR. ALLEN: Right. Right.

2 REPRESENTATIVE COLEMAN: So, that would not  
3 be a valid ID for going to vote under this bill; is that  
4 correct?

5 REPRESENTATIVE DR. ALLEN: That is correct.

6 REPRESENTATIVE COLEMAN: Okay. So, what  
7 happens if an individual comes in and tries to get vote  
8 with an expired ID card or driver's license or whatever  
9 the case may be?

10 REPRESENTATIVE DR. ALLEN: As this bill is  
11 written, that person would not have the opportunity to  
12 vote. It would be -- it would be among the 20 -- he  
13 could vote and it would be filed in the provisional  
14 ballots.

15 And you and I know that maybe 20 percent of  
16 those votes are counted in the election. That, too, is  
17 a fraud.

18 REPRESENTATIVE COLEMAN: And particularly  
19 because we've heard earlier in earlier discussion that  
20 provisional ballots in themselves -- it's actually in  
21 the bill it says that, well, even though you've done  
22 everything that you're supposed to do, you still -- your  
23 vote still may not be counted under the provisional  
24 ballots.

25 REPRESENTATIVE DR. ALLEN: Absolutely.

1                   REPRESENTATIVE COLEMAN: I mean, that --  
2 that is just bad law --

3                   REPRESENTATIVE DR. ALLEN: Yes.

4                   REPRESENTATIVE COLEMAN: -- and bad  
5 circumstance. I appreciate the amendment that you  
6 brought because, you know, we heard something about  
7 finger imaging in Mexico --

8                   REPRESENTATIVE DR. ALLEN: Yes.

9                   REPRESENTATIVE COLEMAN: -- and we heard  
10 something about people taking a driver's license to rent  
11 a movie.

12                   REPRESENTATIVE DR. ALLEN: Yes.

13                   REPRESENTATIVE COLEMAN: Does the Red Box  
14 ask you for your driver's license?

15                   REPRESENTATIVE DR. ALLEN: No, it doesn't.

16                   REPRESENTATIVE COLEMAN: Yeah, I was about  
17 to say. Thank you very much.

18                   REPRESENTATIVE DR. ALLEN: Yeah, and I  
19 was -- like I said, I lost my driver's license. So, I  
20 was over there trying to get a driver's license off of  
21 the Internet, and it asked me for the number that's on  
22 my driver's license. I don't have the driver's license.

23                   REPRESENTATIVE COLEMAN: Exactly. There's  
24 this fantasy world out there that some people live in  
25 that you and I don't live in.

1 REPRESENTATIVE DR. ALLEN: Yes.

2 REPRESENTATIVE COLEMAN: Because as we go on  
3 line, the use of a picture ID for purchases or for any  
4 other thing, that is just not what's happening here.

5 REPRESENTATIVE DR. ALLEN: That's right.

6 REPRESENTATIVE COLEMAN: And in the real  
7 world somebody talks about a passport, how many people  
8 do you know in your district that have a passport?

9 REPRESENTATIVE DR. ALLEN: A passport?

10 REPRESENTATIVE COLEMAN: Yeah.

11 REPRESENTATIVE DR. ALLEN: Very few.

12 REPRESENTATIVE COLEMAN: Very, very few.

13 REPRESENTATIVE DR. ALLEN: I'm having to use  
14 mine now to get on the airplane.

15 REPRESENTATIVE COLEMAN: That's right.

16 REPRESENTATIVE DR. ALLEN: Very, very few  
17 people have a passport.

18 REPRESENTATIVE COLEMAN: The issue is I  
19 guess the folks out there who travel internationally  
20 quite a bit --

21 REPRESENTATIVE DR. ALLEN: Yes.

22 REPRESENTATIVE COLEMAN: -- they, obviously,  
23 have one but people who are taking the bus to work, they  
24 ain't even thinking about needing a passport to go on  
25 their vacation, do they?

1                   REPRESENTATIVE DR. ALLEN: They don't have  
2 passport nor bus fare.

3                   REPRESENTATIVE COLEMAN: Thank you very  
4 much.

5                   SPEAKER: Representative Sheffield raised  
6 the point of order that the gentlelady's time has  
7 expired. The point of order is well taken and  
8 sustained.

9                   REPRESENTATIVE DR. ALLEN: Thank you.

10                  SPEAKER: The Chair recognizes  
11 Representative Harless to speak on the amendment.

12                  REPRESENTATIVE HARLESS: Members, this  
13 amendment allows for an expired ID with no limit but I'm  
14 going to leave this to the will of the House, so --

15                  SPEAKER: Mr. Hochberg, for what purpose?

16                  REPRESENTATIVE HOCHBERG: Will the  
17 gentlelady yield, please?

18                  SPEAKER: Do you yield?

19                  REPRESENTATIVE HARLESS: Yes, sir.

20                  SPEAKER: She yields.

21                  REPRESENTATIVE HOCHBERG: Representative  
22 Harless, we're seeing a lot of each other the last few  
23 days, aren't we? We're --

24                  REPRESENTATIVE HARLESS: I -- I -- it's  
25 always a pleasure to see you.

1 REPRESENTATIVE HOCHBERG: Likewise.

12 REPRESENTATIVE HARLESS: I never thought  
13 about that but we did allow for a provisional ballot.

14 REPRESENTATIVE HOCHBERG: But you still have  
15 to then come back in with your license within six days.

16 REPRESENTATIVE HARLESS: Or one of the --

17 REPRESENTATIVE HOCHBERG: Are you aware that  
18 there actually was a fire at the driver's license  
19 processing facility earlier this year?

20 REPRESENTATIVE HARLESS: Which one?

21 REPRESENTATIVE HOCHBERG: It doesn't -- from  
22 the DPS website, it says a DPS vendor mailing facility.  
23 It happened in February and they lost 14,000 driver's  
24 licenses, which had to then be replaced again. And  
25 they're still telling folks you should get it by about

1       April 1st. So, even after the normal processing time,  
2       they now added several months.

3               And under those circumstances, if there had  
4       been an election, under your bill, I think folks would  
5       have been out of luck. You don't -- that couldn't  
6       possibly be something you intended.

7               REPRESENTATIVE HARLESS: The information I  
8       have is from DPS testimony in both the House and the  
9       Senate Committee, and they said that they usually can  
10      provide a driver's license after it's stolen or lost,  
11      within 15 to 20 days, at the longest 45 days, but as  
12      I've said, I'm not speaking against this amendment. I'm  
13      leaving it to the will of the House.

14               REPRESENTATIVE HOCHBERG: Thank you. Well,  
15      I think Ms. Allen has a -- Dr. Allen has a good  
16      amendment because it -- it takes care of these  
17      unforeseen circumstances at minimum and things getting  
18      lost in the mail that the voter and the driver has no  
19      control over. So, I appreciate you not moving to table  
20      this amendment.

21               REPRESENTATIVE HARLESS: Thank you.

22               SPEAKER: The Chair recognizes  
23      Representative Allen to close.

24               REPRESENTATIVE DR. ALLEN: Members, this is  
25      an opportunity for us to make the bill better than it

1 is. It's an opportunity for us to save money for the  
2 State.

3 Those of you who know me know that I don't  
4 file frivolous bills or frivolous amendments. I'm  
5 sincere about this.

6 This gives us an opportunity to let people  
7 vote on the ID that they have. We really don't change  
8 that much. And so, this time, we don't need to vote  
9 down party lines. We can vote for something that is  
10 good for the State of Texas, for its people and for the  
11 State and then they can save money and give its people  
12 an opportunity to participate in the voting process.  
13 And I request your vote on this bill. Thank you.

14 This --

15 SPEAKER: Representative Allen sends up an  
16 amendment. The vote is on the amendment. Vote aye,  
17 vote nay. The clerk will ring the bell.

18 Show Representative Allen voting aye.

19 Showing Representative Harless as voting --  
20 Representative (Inaudible) voting aye. Aye. No.  
21 Representative Crownover is no. Harper-Brown is going  
22 to vote.

23 Have all voted? Have all voted? By a vote  
24 of 56 ayes, 89 nays, 2 present not voting the motion  
25 failed to adopt.

1                   Following the amendment, the clerk will read  
2 the amendment.

3                   Representative Alonzo.

4                   CLERK: Amendment by Alonzo.

5                   SPEAKER: The Chair recognizes  
6 Representative Alonzo to explain his amendment.

7                   REPRESENTATIVE ALONZO: Yes, Mr. Speaker,  
8 Members, this just clarifies or adds that an ID card  
9 that's approved by the State may be used as an ID.  
10 Right now we're identifying certain types of ID. If the  
11 State feels that there's a certain ID that's approved  
12 after, you know, we vote at the state level or different  
13 ways, then that identification card be used.

14                   SPEAKER: Okay. The amendment is acceptable  
15 to the author. Is there any objection? The Chair hears  
16 none. It's adopted.

17                   Following the amendment, the clerk will read  
18 the amendment.

19                   Mr. Veasey.

20                   CLERK: Amendment by Veasey.

21                   SPEAKER: The Chair recognizes Mr. Veasey to  
22 explain his amendment.

23                   REPRESENTATIVE VEASEY: This amendment  
24 actually in the spirit of bipartisanship was inspired by  
25 Representative Taylor of Collin County. Representative

1 Taylor was in an exchange -- was in an exchange, and I  
2 can't remember who was on the front mic but he said that  
3 you have to have a valid photo ID in order to fill out  
4 an I-9. And so, therefore, if you have to have a valid  
5 ID to fill out an I-9 --

6 REPRESENTATIVE MARTINEZ: Mr. Speaker?

7 SPEAKER: Representative Martinez, for what  
8 purpose?

9 REPRESENTATIVE MARTINEZ: The gentleman will  
10 yield for a question?

11 REPRESENTATIVE VEASEY: I yield.

12 SPEAKER: He yields.

13 REPRESENTATIVE MARTINEZ: So, then,  
14 Mr. Veasey, let me ask you, you have a valid ID and you  
15 fill out an I-9, then you get an employee's ID from your  
16 employer, then you should be able to use that to vote,  
17 am I correct?

18 REPRESENTATIVE VEASEY: Absolutely.

19 REPRESENTATIVE MARTINEZ: So, if you're  
20 talking to your employer and all of us -- me being an  
21 employer, we have our employees fill out an I-9,  
22 therefore, they should be valid because if they have a  
23 driver's license, which is required under that  
24 requirement for an I-9, or a Social Security number,  
25 then we, as an employer, can ask that employee to take a

1 photo ID and then they can use that to vote, and that's  
2 all you're asking for; is that correct?

3 REPRESENTATIVE VEASEY: Absolutely, that the  
4 employers of Texas that help keep people employed and  
5 keep jobs and help keep food on our tables, if they  
6 provide an ID, obviously, they have verified that that  
7 identification is valid and they -- and that's the only  
8 way that some of these places, like Lockheed and  
9 Coca-Cola and other places will issue an ID, and so,  
10 that ID ought to count to vote.

11 And I think that this is a bipartisan  
12 amendment because Mr. Taylor had spoke about it earlier.  
13 So, I move passage.

14 SPEAKER: The Chair recognizes  
15 Representative Harless to speak against the amendment.

16 REPRESENTATIVE HARLESS: Members, this  
17 amendment is asking that you allow a valid employee  
18 identification card from somebody's work. It's not a  
19 government ID. It's not a state issued driver's  
20 license. It's a valid employee ID card. And I -- I  
21 wish --

22 SPEAKER: Mr. Phillips, for what purpose?

23 REPRESENTATIVE PHILLIPS: Yeah, just a quick  
24 question.

25 REPRESENTATIVE HARLESS: Yes.

1 SPEAKER: She yields.

2 REPRESENTATIVE PHILLIPS: There's no  
3 limitation at all on this at all?

4 REPRESENTATIVE HARLESS: None.

5 REPRESENTATIVE PHILLIPS: I mean, this  
6 doesn't set out standards or practice or anything?

7 REPRESENTATIVE HARLESS: None at all.

8 REPRESENTATIVE PHILLIPS: Thank you.

9 SPEAKER: Mr. Veasey, for what purpose?

10 REPRESENTATIVE VEASEY: Does the gentlelady  
11 yield?

12 REPRESENTATIVE HARLESS: Yes.

13 SPEAKER: She yields.

14 REPRESENTATIVE VEASEY: Your Republican  
15 colleague from Collin County stated earlier that in  
16 order for you to be able to work at any place that you  
17 have to have a valid photo ID in order to fill out that  
18 I-9 and that employer has to verify that identification.  
19 So, why would that identification not work at a polling  
20 place?

21 REPRESENTATIVE HARLESS: The purpose of the  
22 types of ID that were chosen, a driver's license, a  
23 Texas issued ID card, a Texas issued driver's license, a  
24 passport is because there's a standardization of forms,  
25 they're uniform, they're easier for people to recognize,

1       they're easier for the poll worker to recognize, they're  
2       easier for the voter to recognize.

3               This throws all those standards out. It  
4       allows any type of ID that could be duplicated and it  
5       takes away all the security provisions in the bill, and  
6       I can't support it.

7               REPRESENTATIVE VEASEY: One of our largest  
8       employers in the City of Fort Worth is Lockheed Martin  
9       and -- you know, and -- and we have other large  
10      employers as well, American Airlines. So, people are  
11      used to seeing those identifications that live in the  
12      metroplex. There's a good likelihood that the clerk,  
13      particularly if you live in Fort Worth, it would be a  
14      very good likelihood that the clerk would have a  
15      relative or someone that worked at one of these places.  
16      So, they would also be able to easily identify those  
17      forms of identification, and it's the same justification  
18      that you just laid out. So, why not accept this  
19      amendment?

20               REPRESENTATIVE HARLESS: Because it's not  
21       issued by the state -- the government agency, it's  
22       issued by an employer. There is no standardization of  
23       form, and it takes away all the protections that we've  
24       put in this bill for a person to have an ID that a poll  
25       worker -- it's easy for them to recognize and it's easy

1 for the voter to understand.

2 REPRESENTATIVE VEASEY: Are there  
3 different -- like you're an employer, you're in the car  
4 business, do you not -- do you not offer the same I-9 to  
5 your employees that every other employer offers to their  
6 employees?

7 REPRESENTATIVE HARLESS: I do, and all my  
8 employees fill out an I-9. Typically, they use their  
9 driver's license and Social Security card. I've had  
10 some use ID cards if they didn't have a driver's license  
11 but --

12 REPRESENTATIVE VEASEY: So, you're not using  
13 a separate form. That would be a standardization of  
14 forms. It's the same --

15 REPRESENTATIVE HARLESS: I think this  
16 whole -- I think this conversation, we're talking about  
17 the I-9. I understand Representative Taylor's ability  
18 to get up here and want to talk about that form. That  
19 has nothing to do with the bill. The bill is about  
20 showing a photo ID when you show up to vote that is  
21 issued by a government agency and is easy to recognize  
22 because it has the same standardization.

23 REPRESENTATIVE VEASEY: Okay. So, when he  
24 laid out -- when he laid out his justification that  
25 everybody has to fill out this standardized form, the

1 I-9 in order to work and get an ID, so, you accepted it  
2 when he came to you. So, why don't you accept it  
3 when -- I'm bringing you the same thing that you  
4 accepted from him. The rationale you accepted from him  
5 is what I'm laying out to you right now. So, why won't  
6 you accept it from me?

7 REPRESENTATIVE HARLESS: I didn't accept any  
8 rationale from him. He got up to talk against an  
9 amendment that was offered. I didn't -- I didn't  
10 accept --

11 SPEAKER: Mr. Legler, for what purpose?

12 REPRESENTATIVE LEGLER: Will the gentlelady  
13 yield for a question?

14 SPEAKER: Do you yield for a question?

15 REPRESENTATIVE HARLESS: Yes.

16 SPEAKER: She yields.

17 REPRESENTATIVE LEGLER: I'm a little  
18 familiar with I-9s from having a company, and I know  
19 they can bring a driver's license, in fact, under -- you  
20 have lists B and C, and one of the them is a driver's  
21 license or ID card issued by a state in the United  
22 States. It doesn't say State of Texas. It just says by  
23 a state.

24 It also says a document issued by the  
25 Department of Homeland Security, which means you can

1 have a visa to authorize working here and you can get  
2 a -- you can fill out an I-9 form and you can be  
3 authorized to work. That's how I see that.

4 What you're saying is that person may not be  
5 a citizen and a resident in the State of Texas but  
6 they're saying they can use that ID to government vote.  
7 I think you're right about -- on this amendment, it  
8 needs to be tabled.

9 REPRESENTATIVE HARLESS: Motion to table.

10 SPEAKER: Representative Veasey sends up an  
11 amendment. Representative Harless moves to table. The  
12 question is on the motion to table. All those in favor  
13 say aye, vote aye. Those opposed vote no. Clerk will  
14 ring the bell.

15 Ms. Harless voting aye. Mr. Veasey noting  
16 no. Representative Hunter voting aye.

17 Have all voted? By a vote of 101 ayes, 47  
18 nays, 2 present not voting, the motion to table  
19 prevails.

20 Following the amendment, the clerk will read  
21 the amendment.

22 Respective Gonzalez of El Paso.

23 CLERK: Amendment by Gonzalez of El Paso.

24 SPEAKER: The Chair recognizes  
25 Representative Gonzalez to explain her amendment.

1 REPRESENTATIVE GONZALEZ: Members --

2 Mr. Speaker, Members, this amendment would allow native  
3 Americans to use their tribal IDs as an acceptable form  
4 of identification upon voting.

12                   Each member receives an enrollment card,  
13                   also known as a picture ID, that is issued with an  
14                   authorized signature of the tribal governor. To obtain  
15                   this ID, the identification that is used is an original  
16                   birth certificate, Social Security card and a state  
17                   issued ID.

18 Let me repeat that because it does bear  
19 repeating. To get this tribal ID, you need an original  
20 birth certificate, Social Security card and a state  
21 issued ID.

1 SPEAKER: Representative Marquez, for what  
2 purpose?

3 REPRESENTATIVE MARQUEZ: Mr. Chairman, will  
4 the lady yield?

5 SPEAKER: Do you yield?

6 REPRESENTATIVE GONZALEZ: I don't know.

7 REPRESENTATIVE MARQUEZ: Representative  
8 Gonzalez, I think everyone heard you in El Paso.

9 SPEAKER: She yields for a conversation  
10 about El Paso.

11 REPRESENTATIVE GONZALEZ: Yes.

12 REPRESENTATIVE MARQUEZ: So, essentially,  
13 what this amendment is going to do is it's just going to  
14 allow native American tribes to be recognized, right,  
15 their ID will be a valid form of identification at the  
16 polls?

17 REPRESENTATIVE GONZALEZ: That is correct.

18 REPRESENTATIVE MARQUEZ: Okay. And are the  
19 enhanced tribal identification cards that are currently  
20 being issued by the government a reliable form of IDs  
21 for events such as voting? You spoke specifically about  
22 the (Inaudible) Pueblo.

23 REPRESENTATIVE GONZALEZ: Yes, absolutely,  
24 because the United States government is planning to  
25 use -- start using an enhanced tribal identification

1 card. This is going to recognize U.S. federally  
2 recognized tribes. In order to get this specific card,  
3 the tribe must meet the requirements set out by the  
4 federal government, and this itself shows that they are  
5 going to have to expose themselves to a background  
6 check.

7 So, these tribal cards are needed for the  
8 enhanced tribal identification cards. So, this would  
9 almost be equivalent to having to get a passport.

10 So, again, I think that these identification  
11 cards that are issued by the tribes are -- have  
12 significant barriers in place in order for them -- to  
13 qualify them for voter ID.

14 REPRESENTATIVE MARQUEZ: I think this  
15 amendment is extremely appropriate. Thank you,  
16 Representative Gonzales.

17 REPRESENTATIVE GONZALEZ: Thank you,  
18 Representative Marquez.

19 REPRESENTATIVE GUTIERREZ: Mr. Speaker, will  
20 the gentlelady yield?

21 SPEAKER: You yield?

22 REPRESENTATIVE GONZALEZ: Yes, sir.

23 SPEAKER: She yields.

24 REPRESENTATIVE GUTIERREZ: Representative  
25 Gonzalez, we heard earlier about the voter

1 identification requirements in the State of Georgia.

2 Were you here when we discussed that?

3 REPRESENTATIVE GONZALEZ: Yes, sir.

4 REPRESENTATIVE GUTIERREZ: Did you hear that  
5 in Georgia, you can use an expire driver's license? You  
6 heard that exchange between Dr. Allen and I?

7 REPRESENTATIVE GONZALEZ: I did hear that  
8 exchange, yes.

9 REPRESENTATIVE GUTIERREZ: Did you also know  
10 that in Georgia, they -- a valid tribal photo ID is  
11 allowed?

12 REPRESENTATIVE GONZALEZ: You know, I was  
13 not aware of that but I am not surprised by that.

14 REPRESENTATIVE GUTIERREZ: So, if it must be  
15 good for the people in Georgia, it must be okay for the  
16 people in Texas?

17 REPRESENTATIVE GONZALEZ: I would say so,  
18 yes.

19 REPRESENTATIVE GUTIERREZ: I think you have  
20 a good amendment.

21 Thank you, Mr. Speaker.

22 REPRESENTATIVE GONZALEZ: Thank you very  
23 much.

24 SPEAKER: Now Representative Harless will  
25 speak against the amendment.

1                   REPRESENTATIVE HARLESS: Members, we had  
2 testimony of this both this session and last session.  
3 The reason we chose -- the reason the ID documents that  
4 were chose were the driver's license -- the Texas  
5 driver's license, the Texas ID card, voter's -- passport  
6 and all the different forms was that they were standard.  
7 It was easier for the poll workers to understand and  
8 read it and recognize it, and it was also easier for the  
9 voters to know what is expected.

10                  With your tribal cards, you don't know for  
11 sure if they are official and if they have all the same  
12 security provisions that are issued by the State of  
13 Texas, and that was the purpose of that in our testimony  
14 on the committee.

15                  SPEAKER: Representative Gonzalez, for what  
16 purpose?

17                  REPRESENTATIVE GONZALEZ: Does the  
18 gentlelady yield?

19                  SPEAKER: Do you yield?

20                  REPRESENTATIVE HARLESS: Yes.

21                  SPEAKER: She yields.

22                  REPRESENTATIVE GONZALEZ: Thank you, ma'am.

23                  Would you say that 100 -- rather, 1687  
24 members -- tribal members is a significant number in the  
25 State of Texas?

1 REPRESENTATIVE HARLESS: Could you say the  
2 number again?

3 REPRESENTATIVE GONZALEZ: 1687.

4 REPRESENTATIVE HARLESS: I think that's  
5 significant.

6 REPRESENTATIVE GONZALEZ: Now, being that  
7 1044 of those members live in El Paso County, that's the  
8 county that I represent, those are poll workers that El  
9 Paso County members are going to have to -- are going to  
10 have to deal with, would you not agree with that?

11 REPRESENTATIVE HARLESS: Say that one more  
12 time, please.

13 REPRESENTATIVE GONZALEZ: Yes, ma'am. Would  
14 you not agree -- and I gave you a statistic that 1044 of  
15 those 1687 members live in El Paso County, which is the  
16 district that I happen to represent, and so, it is going  
17 to be the El Paso County election people that are going  
18 to have to identify these cards. And so, would you not  
19 say that since the majority of the people that I've just  
20 cited to you live in El Paso County, that they have some  
21 familiarity with what a travel card looks like?

22 REPRESENTATIVE HARLESS: Now, how many of  
23 these people do not have a driver's license or -- a  
24 Texas driver's license, a Texas ID card? Do you have  
25 those statistics?

1                   REPRESENTATIVE GONZALEZ: I do not.  
2        However, I want to cite to my statement again and say  
3        that in order to receive a tribal ID, you must show an  
4        original birth certificate, Social Security card and --  
5        not or -- and a state issued ID.

6                   Now, we have sat here for the better half of  
7        this day and talked about how state issued IDs are  
8        acceptable forms of identification for voter ID  
9        purposes. So, would it not make sense then to have a  
10       tribal ID be an acceptable form of identification?

11                  REPRESENTATIVE HARLESS: I understand when  
12        you say that the people that have these tribal cards,  
13        the majority of them live in El Paso but what happens if  
14        they move to Spring, Texas and register to vote and  
15        don't have an ID and they show up at the polls with a  
16        tribal card and the poll workers and election judges are  
17        not familiar? That was part of the reason why we wanted  
18        some standardization of forms.

19                  REPRESENTATIVE GONZALEZ: And let's talk  
20        about that for a moment. Do we know how often tribal  
21        members migrate off of the counties that they live in?  
22        Because they do receive their federal benefits from the  
23        reservation in which they reside, do they not?

24                  REPRESENTATIVE HARLESS: You would know a  
25        lot more about that than I do. You represent them, and

1 you're doing a great job.

2 REPRESENTATIVE GONZALEZ: Thank you.

3 I would say that the migratory habits, if  
4 you will, of people that are native Americans that are  
5 in the tribes -- the tribes that are in Texas don't  
6 migrate very often. So, even if they were to show this  
7 tribal ID, I think that a polling person would probably  
8 be able to call either the federal government or the  
9 actual travel council that issued the ID to verify who  
10 this person is. Would that not be a mechanism that  
11 could be used?

12 REPRESENTATIVE HARLESS: We just added  
13 another layer of requirements that someone has to do the  
14 day that -- a poll worker, election worker has to do  
15 when they show up -- someone shows up to vote, that  
16 we've just added another step that they're having to do,  
17 which could stop -- slow down voting.

18 REPRESENTATIVE GONZALEZ: Okay. But based  
19 on that question -- or based on that statement then, if  
20 a person doesn't look like who they look like on their  
21 vote photo ID, on their driver's license, for example,  
22 is the poll worker then going to ignore the person that  
23 that's presented the form of ID because they don't look  
24 like who they look like or are they going to do some  
25 sort of due diligence to find out is this person really

1 who they say they are?

2 REPRESENTATIVE HARLESS: Now we're talking  
3 about ID and not your amendment. Do we want to talk  
4 about your amendment?

5 REPRESENTATIVE GONZALEZ: Well, we are  
6 talking about the amendment. This is germane because we  
7 are talking about what is an acceptable form of ID.  
8 And, again, I think that we've listed several  
9 appropriate forms, and I think that a tribal form is  
10 definitely appropriate.

11 REPRESENTATIVE HARLESS: I --

12 SPEAKER: Representative Sheffield raised a  
13 point of order that the gentlelady's time is expired.  
14 The point is well taken. Sustained.

15 The Chair recognizes Representative Gonzalez  
16 to close.

17 Mr. Veasey, for what purpose?

18 REPRESENTATIVE VEASEY: With the -- I would  
19 like to move that we extend the gentlelady's time,  
20 please.

21 SPEAKER: Mr. Veasey moves that the  
22 gentlelady's time be extended. Is there any opposition?  
23 The Chair hears none. The Chair hears none. The time  
24 is extended.

25 REPRESENTATIVE VEASEY: Representative

1 Harless, I just a few questions for you. Do you yield?

2 REPRESENTATIVE HARLESS: Yes.

3 REPRESENTATIVE VEASEY: (Inaudible)

4 screaming in my ear. I apologize for that.

5 Why don't you work with Representative --  
6 why don't you work with Representative Gonzalez to do a  
7 carve out for her particular county? Because,  
8 obviously, you're talking about -- there are thousands  
9 of people that would be affected. So, why not do a  
10 carve out for her?

11 REPRESENTATIVE HARLESS: I'm not interested  
12 in doing any carve outs in the bill but I am interested  
13 in listening to what she has to say.

14 REPRESENTATIVE VEASEY: I'm sorry, I'm  
15 not -- I couldn't quite hear you. People are talking.

16 REPRESENTATIVE HARLESS: I don't know -- I'm  
17 talking right here. No, I'm not interested in doing any  
18 carve outs but I am interested in what she has to say  
19 for one second.

20 REPRESENTATIVE VEASEY: Absolutely. I'll  
21 pause.

22 SPEAKER: Representative Gonzalez withdraws  
23 the amendment temporarily.

24 Following the amendment, the clerk will read  
25 the amendment.

1                   Mr. Dutton.

2                   CLERK: Amendment by Dutton.

3                   SPEAKER: The Chair recognizes Mr. Dutton to  
4 explain his amendment.

5                   REPRESENTATIVE DUTTON: Mr. Speaker and  
6 Members, I know it's been a long day but this is a most  
7 important bill, and what this amendment does is simply  
8 adds a group of people who are most important to the  
9 election process, and what this amendment does is simply  
10 allows a student identification card that is issued by a  
11 public or private high school or institution of higher  
12 education that also contains the person's photograph to  
13 be able to use that as a basis for voting.

14                  And I don't know whether that's acceptable  
15 or unacceptable but I think it's a good amendment and I  
16 hope you do, too, and I move passage of the amendment.

17                  SPEAKER: Representative Harless?

18                  The Chair recognizes Representative Phillips  
19 to speak against the amendment.

20                  REPRESENTATIVE PHILLIPS: Yes, I would move  
21 to table Representative Dutton's amendment.

22                  SPEAKER: Representative Dutton, do you want  
23 to close?

24                  Representative Dutton to close.

25                  REPRESENTATIVE DUTTON: Mr. Speaker and

1 Members, I wish I knew why Mr. Phillips would move to  
2 table the amendment without explaining what his reasons  
3 were.

4 I realize that this amendment is probably  
5 like most of the other amendments where there has been  
6 an opportunity not for reason to prevail but simply the  
7 numbers to prevail, and I -- I just think the students  
8 ought to be recognized and certainly ought to have an  
9 opportunity to use their --

10 SPEAKER: Mr. Phillips, for what purpose?

11 Mr. Dutton, do you yield?

12 REPRESENTATIVE DUTTON: As soon as I finish,  
13 Mr. Phillips. You had an opportunity up here. I'll  
14 give you that opportunity, though.

15 REPRESENTATIVE PHILLIPS: I didn't say you  
16 have to yield at this time.

17 REPRESENTATIVE DUTTON: We ought to  
18 recognize that students ought to have the opportunity to  
19 use their student identification cards that, again, are  
20 issued by state agencies. Essentially -- the  
21 institutions of higher education are essentially state  
22 agencies when I last checked.

23 And so, if we're going to allow state  
24 agencies to issue identification cards so that people  
25 can vote, what better way than to use a student ID that

1 also has the picture of the student on the ID so that it  
2 can be used.

3 And with that, Mr. Speaker, I will yield to  
4 Mr. Phillips.

5 SPEAKER: Mr. Phillips, he yields.

6 REPRESENTATIVE PHILLIPS: Thank you,  
7 Mr. Chairman.

8 I just want to -- you would agree with me  
9 that all the different institutions you're discussing do  
10 not have a standardized form that's easy for an election  
11 clerk or officer to recognize?

12 REPRESENTATIVE DUTTON: Depends on what you  
13 mean by standardized.

14 REPRESENTATIVE PHILLIPS: Standardized, that  
15 they're all the same, same shape, size, location of the  
16 picture, location of the information.

17 REPRESENTATIVE DUTTON: I have not seen them  
18 all but I would doubt that every one of them is exactly  
19 the same if that's what you mean.

20 REPRESENTATIVE PHILLIPS: And -- and  
21 they're -- also the people that issue those don't go  
22 through a certain training to ascertain -- to make sure  
23 that there's not fraud in trying to obtain those  
24 licenses?

25 REPRESENTATIVE DUTTON: I would beg to

1 differ with you. I would beg to differ with you, Mr. --  
2 I don't know of anybody in a college or university --  
3 maybe you do -- that is there and has a student ID  
4 that's not who they say they are.

5 REPRESENTATIVE PHILLIPS: And you -- there's  
6 no verification of citizenship on those as well; is that  
7 correct?

8 REPRESENTATIVE DUTTON: That -- that would  
9 be the case and that wouldn't -- that would be the case  
10 also with a driver's licence.

11 REPRESENTATIVE PHILLIPS: And -- and you  
12 would -- anyway, those are questions that I have. Thank  
13 you.

14 REPRESENTATIVE DUTTON: All right. Thank  
15 you.

16 Mr. Speaker, Members, this is a vote for  
17 students. And I'm here to tell you that either today  
18 you can show up for students or on election day, they'll  
19 show up for you. And I would ask you to vote no on the  
20 motion to table.

21 SPEAKER: Mr. Dutton sends up an amendment.  
22 Mr. Phillips moves to table. The vote is on the motion  
23 to table. The clerk will ring the bell. Mr. Phillips  
24 is voting no. Mr. Dutton is voting aye. I'm sorry.  
25 Mr. Phillips is voting aye. Mr. Dutton is voting no.

1 Show Ms. Kolkhorst voting aye. Mr. Martinez Fischer  
2 voting no. Mr. Gutierrez voting no.

3 Have all members voted? By a vote of 99  
4 ayes, 49 nays, 2 present not voting, the amendment --  
5 the motion to table prevails.

6 Following the amendment, the clerk will read  
7 the amendment.

8 CLERK: Amendment by Martinez Fischer.

9 SPEAKER: The Chair recognizes  
10 Representative Martinez -- Fisher to explain his  
11 amendment.

12 REPRESENTATIVE MARTINEZ FISCHER: Thank you,  
13 Mr. Speaker and Members. This is a real simple  
14 amendment. It just says that we mean what we say, and  
15 if we have respect for the integrity for state issued  
16 IDs by DPS, then we ought to have the same level of  
17 integrity for the IDs that are issued by any state  
18 agency.

19 So, this amendment says if any state  
20 employee or anybody that has a state issued ID with  
21 their photograph on it should be allowed to vote with  
22 that and it should be added to the list of approved  
23 documents, and so, with that, I move adoption.

24 SPEAKER: The Chair recognizes Mr. Phillips  
25 to speak against the amendment.

1 REPRESENTATIVE PHILLIPS: Thank you,  
2 Mr. Speaker, Members. I would ask that -- I  
3 respectfully oppose this amendment. As you know, one of  
4 those ones he's showing up apparently is expired. And  
5 so, that wouldn't be effective. They're not going to  
6 issue those any more.

10 (Inaudible).

11 SPEAKER: For what purpose?

12 REPRESENTATIVE DUKES: Would the gentleman  
13 yield?

14 REPRESENTATIVE PHILLIPS: I certainly would.

15 SPEAKER: He yields.

16 REPRESENTATIVE DUKES: Thank you. Thank  
17 you.

18 Representative Phillips, what's wrong with  
19 this idea? I'm able to get in the capital with it.

20 REPRESENTATIVE PHILLIPS: Yes, but a voting  
21 clerk may not know what that is or may not even be  
22 familiar with the capitol. We're talking about --

23 REPRESENTATIVE DUKES: May not be familiar  
24 with capitol? And people are voting for people to be in  
25 the capitol? Why are they over there helping people

1 vote if they don't know what the capitol is?

2 REPRESENTATIVE PHILLIPS: I think you know  
3 what I'm saying. I think that's not being fair.

4 REPRESENTATIVE DUKES: It is fair. If you  
5 don't know what the capitol is, you don't need to be  
6 helping anybody vote.

7 REPRESENTATIVE PHILLIPS: They may not know  
8 you. They may not know what kind of form of ID you use.  
9 We're trying to perform uniformity across the state.

10 REPRESENTATIVE DUKES: Did you know that I  
11 can get on an airplane with this? I have used it to go  
12 through TSA. I didn't get (Inaudible) off but I was  
13 able to go through TSA with this. So, why can't we use  
14 it to vote?

15 REPRESENTATIVE PHILLIPS: Because there's  
16 not uniformity across all state agencies.

17 REPRESENTATIVE DUKES: Is the State of Texas  
18 uniform?

19 REPRESENTATIVE PHILLIPS: What are you --  
20 the election laws are all uniform. They should be  
21 applied uniformly.

22 REPRESENTATIVE DUKES: Well, it sounds like  
23 you're just opposed to any form of ID. Now, you would  
24 think if we're the State of Texas and it -- the State of  
25 Texas has the different jobs. Everybody has to have a

1 badge with their picture on it, then it has been vetted  
2 in some form or fashion but you're still saying that's  
3 not valid.

4 So, then why should they be allowed to  
5 come -- we be allowed to come into the capitol building  
6 if this is no good?

7 REPRESENTATIVE PHILLIPS: Ms. Dukes, we're  
8 asking for uniformity so our election clerks will be  
9 able to know exactly what to count on and that we  
10 know --

11 REPRESENTATIVE DUKES: Come on.

12 REPRESENTATIVE PHILLIPS: -- the  
13 verification procedures.

14 REPRESENTATIVE DUKES: If it's a state  
15 issued ID, that's uniform. It's the same state. We're  
16 not talking about using Mississippi's ID or using  
17 Delaware's ID. We're talking about using Texas business  
18 IDs.

19 REPRESENTATIVE PHILLIPS: I -- I think that  
20 point has been made, and it's not uniform across the  
21 state.

22 REPRESENTATIVE DUKES: But the point has not  
23 been made. You're not being uniform because every  
24 single one of the agencies, whether it's the state  
25 government or federal government, require that you have

1 a background check in order to get these badges. So,  
2 what's the problem?

3 REPRESENTATIVE PHILLIPS: Ms. Dukes, we're  
4 asking for --

5 REPRESENTATIVE DUKES: I mean, there are  
6 going to be bills that come up.

7 REPRESENTATIVE PHILLIPS: We're asking for  
8 uniformity to help election clerks so we can have  
9 confidence in our elections. I would move to table.

10 SPEAKER: The Chair recognizes  
11 Representative Martinez Fischer to close.

12 REPRESENTATIVE MARTINEZ FISCHER: Thank you,  
13 Mr. Speaker and Members. I think it just underscores  
14 what we're really trying to do here. I can't understand  
15 the distinction between one state agency and another,  
16 and I certainly don't think that Larry is trying to  
17 suggest that our state agencies are capable of producing  
18 fraudulent ID cards or inaccurate ID cards, and there's  
19 no requirement that they ever be uniform but all we need  
20 and all this debate has been about is having an ID with  
21 your photo on it that's trusted, and if we cannot trust  
22 an ID issued by the state, then I have concerns about  
23 trusting IDs issued by the Department of Public Safety.  
24 They, too -- they're no different of a state agency than  
25 the Health and Human Services Commission or the Texas

1 House of Representatives.

2 These cards are signed by the legislative  
3 liaison for the Texas Department of Public Safety. They  
4 signed in the front by the director of the Texas  
5 Department of Public Safety. It's a serious felony to  
6 not have this.

7 Larry says it's expired but that's my  
8 picture. That's my driver's license number. That's my  
9 district on this card. The employee ID that I have,  
10 well, she's still here, she still works for this body,  
11 and so, I don't see what he's talking about when he says  
12 that it's expired.

13 SPEAKER: Representative Truitt, for what  
14 purpose?

15 REPRESENTATIVE TRUITT: Will the gentleman  
16 yield, please?

17 SPEAKER: Mr. Martinez Fischer, do you yield  
18 do you yield?

19 REPRESENTATIVE MARTINEZ-FISCHER: Yes, I do  
20 yield.

21 REPRESENTATIVE TRUITT: Mr. Martinez  
22 Fischer, there's been some discussion about using some  
23 of the forms of ID that we're provided as House members.  
24 And are you aware that -- I have attempted on a couple  
25 of occasions when I misplaced my driver's license to use

1 a -- our -- one of the ID cards that's issued by the  
2 State to us showing that I'm a member of the 82nd -- I  
3 think at the time it was the 81st first legislature and  
4 an official -- and I was not allowed to use that to  
5 board a plane.

6 REPRESENTATIVE MARTINEZ-FISCHER: And that's  
7 why I'm trying to help you because we put this in the  
8 law, this -- Members, this is the Martinez Truitt  
9 amendment. It's a bipartisan amendment. If you want  
10 Vicki Truitt to be able to vote, then you've got to vote  
11 no on the motion because -- Members, let's do this for  
12 Vicki, Vicki Truitt. Number two on the motion to table,  
13 go red with me, I move we vote no on the motion to  
14 table. Vicki would want you to join us.

15 SPEAKER: Mr. Martinez Fischer sends up an  
16 amendment. Mr. Phillips move to table. The vote is on  
17 the motion to table. Those voting aye vote aye. Those  
18 voting no vote no.

19 Mr. Phillips is voting aye. Mr. Martinez  
20 Fischer is voting no. Show Ms. Truitt voting aye.

21 Have all members voted? By a vote of 97  
22 ayes, 50 nays, 2 present not voting, the motion to table  
23 prevails.

24 Following the amendment, the clerk will read  
25 the amendment.

1 CLERK: Amendment by Hernandez Luna.

2 SPEAKER: The Chair recognizes  
3 Representative Hernandez Luna to explain her amendment.

4 REPRESENTATIVE HERNANDEZ LUNA: Thank you,  
5 Mr. Speaker, Members. This is a similar amendment but  
6 also includes the federal agencies. These are  
7 congressmen, Department of Navy, Department of Military,  
8 allowing them to show their IDs as well. These are  
9 people that we rely on for the security of our country  
10 to advise our president, the cabinet on the security of  
11 our country, whether we can go to war. I think that  
12 that ID should be valid for them to vote as well.

13 SPEAKER: The Chair recognizes Mr. Phillips  
14 to speak against the amendment.

15 REPRESENTATIVE PHILLIPS: Thank you,  
16 Mr. Speaker and Members. I would -- again, this has  
17 gone through the committee process, and we're talking  
18 about uniformity so that those election workers, those  
19 polling workers at their local place will have some  
20 consistency and know what we require them to do.

21 And so, I would urge against -- this is  
22 quite a broad thing, an agency or institution of the  
23 federal government or agencies or institution or  
24 political subdivision of the state. So, if a city has a  
25 little ID card or -- or a water district has an ID card,

1 so, it's quite broad what this could cover. It's not  
2 just about the military. It's quite broad. And I would  
3 certainly move to table.

4 SPEAKER: Representative Castro, for what  
5 purpose?

6 REPRESENTATIVE CASTRO: Will the gentleman  
7 yield for questions?

8 SPEAKER: Mr. Phillips, do you yield?

9 REPRESENTATIVE PHILLIPS: Yes, sir.

10 SPEAKER: He yields.

11 REPRESENTATIVE CASTRO: Representative  
12 Phillips, you've said that the reason that you want to  
13 stick to just a few IDs is because there's uniformity  
14 among these IDs that are being issued; is that correct?

15 REPRESENTATIVE PHILLIPS: Yes. That is one  
16 of the many reasons why the committee has worked towards  
17 passing this legislation and it's been successful  
18 elsewhere.

19 REPRESENTATIVE CASTRO: And I would imagine  
20 as a corollary point of yours would be that there are  
21 different kinds of state IDs that are issued; is that  
22 right? In other words, the Department of Public Safety  
23 versus the --

24 REPRESENTATIVE PHILLIPS: I'm not sure what  
25 you mean by IDs because -- I don't know if you're

1 talking about employee IDs or --

2 REPRESENTATIVE CASTRO: Right.

3 REPRESENTATIVE PHILLIPS: Okay. This  
4 isn't -- this could have covered employee IDs, probably  
5 written that broadly but I don't think that's what this  
6 amendment was for but --

7 REPRESENTATIVE CASTRO: What's your  
8 understanding of what the amendment does? Which IDs  
9 would it allow?

10 REPRESENTATIVE PHILLIPS: This is federal or  
11 local government, not state IDs.

12 REPRESENTATIVE CASTRO: Okay. Well -- so,  
13 the federal and local governments issue different -- IDs  
14 that look differently; is that right?

15 REPRESENTATIVE PHILLIPS: Yes.

16 REPRESENTATIVE CASTRO: In other words, San  
17 Antonio may issue one that looks different from Dallas?

18 REPRESENTATIVE PHILLIPS: They might have an  
19 ID -- we don't know if they even do.

20 REPRESENTATIVE CASTRO: But are you aware  
21 that the Department of Public Safety issues licenses  
22 that look different?

23 REPRESENTATIVE PHILLIPS: They have  
24 different ones but they're -- yes.

25 REPRESENTATIVE CASTRO: So, how is that

1 uniform then?

2 REPRESENTATIVE PHILLIPS: Because they're --  
3 there are very limited ones that they -- that they  
4 produce.

5 REPRESENTATIVE CASTRO: But that's -- but  
6 your argument --

7 REPRESENTATIVE PHILLIPS: No. No. No.

8 REPRESENTATIVE CASTRO: Your argument has  
9 been uniformity. How is it that uniform?

10 REPRESENTATIVE PHILLIPS: They are uniform.  
11 They're uniform in how they look. They maybe have --  
12 one may be going horizontal. One may be going vertical.  
13 So, we're not talking about 50 or however many -- 254  
14 counties if they did them, plus all the cities, that  
15 they would have to somehow figure if that's something  
16 that's acceptable or not.

17 REPRESENTATIVE CASTRO: But you're  
18 conceding --

19 REPRESENTATIVE PHILLIPS: Uniformity -- no.

20 REPRESENTATIVE CASTRO: You're conceding now  
21 that there's no uniformity, which is an argument that  
22 you made.

23 REPRESENTATIVE PHILLIPS: No, I'm not  
24 conceding that. And also, get back to we know DPS has a  
25 process and a standard for training and determining

1 validity of those presenting themselves for an ID. We  
2 don't know that about all of those that are stated here.

3 REPRESENTATIVE CASTRO: You also made the  
4 point, is it right -- is it correct you made the point  
5 that poll workers wouldn't necessarily know how to  
6 identify some of these IDs?

7 REPRESENTATIVE PHILLIPS: We're talking  
8 about -- again, we're talking about to make sure that  
9 they are valid and that they understand what's  
10 acceptable, and what you're trying to do is interject  
11 confusion to the local poll workers --

12 REPRESENTATIVE CASTRO: No, not at all.

13 REPRESENTATIVE PHILLIPS: -- when you have  
14 so many different IDs. So --

15 REPRESENTATIVE CASTRO: I guess my question  
16 is --

17 REPRESENTATIVE PHILLIPS: I think I'm being  
18 consistent. I think I'm being consistent and we're  
19 being consistent throughout this legislation process.

20 REPRESENTATIVE CASTRO: Well, I disagree but  
21 my question is -- my question is isn't there a training  
22 session for these folks who work -- who do the poll  
23 working?

24 REPRESENTATIVE PHILLIPS: There are training  
25 sessions. And how much time do you want them to have to

1 figure out what is a valid ID and which is acceptable?  
2 Because we're talking about very limited opportunity for  
3 them to have training.

4 REPRESENTATIVE CASTRO: Representative, can  
5 I ask you have you ever been to a polling site -- you've  
6 visited many polling sites in your political career; is  
7 that right?

8 REPRESENTATIVE PHILLIPS: I have been to  
9 polling sites.

10 REPRESENTATIVE CASTRO: Okay. Have you ever  
11 been to a polling site where the poll workers, the  
12 election judge posts the no -- the no -- basically the  
13 no man's land, the no crossing zone either further or  
14 closer than it should be?

15 REPRESENTATIVE PHILLIPS: I don't know. I'd  
16 have to go back and measure. I don't know that --

17 REPRESENTATIVE CASTRO: You've never come  
18 across that in all of the polling sites you've come  
19 across?

20 REPRESENTATIVE PHILLIPS: I don't think  
21 that's been an issue, no.

22 REPRESENTATIVE CASTRO: Well, I think you  
23 would be surprised, at least in San Antonio and other  
24 places I've been, poll workers mess that up all the  
25 time. So, what makes you think that -- if you're

1 worried about them not being able to tell local or  
2 federal IDs apart, that they're going to be perfect on  
3 doing any of what you guys are passing right now?

4 REPRESENTATIVE PHILLIPS: Well --

5 REPRESENTATIVE CASTRO: I mean, a lot of  
6 them don't even put the markers at the correct place.

7 REPRESENTATIVE PHILLIPS: Well, I haven't  
8 seen that to be an issue, so --

9 REPRESENTATIVE CASTRO: Thank you.

10 SPEAKER: Ms. Hernandez Luna sends up an  
11 amendment. Mr. Phillips moves to table. The vote is on  
12 the motion to table. Members vote ayes, members vote  
13 no. Clerk will ring the bell.

14 Mr. Phillips is voting aye. Representative  
15 Hernandez Luna voting nay. Representative Marquez  
16 voting -- Marquez voting nay.

17 Have all voted? A vote of 99 ayes, 49 nays,  
18 2 present not voting, the motion to table prevails.

19 Following the amendment, the clerk will read  
20 the amendment.

21 CLERK: Amendment by Gonzales of Hidalgo.

22 SPEAKER: The Chair recognizes  
23 Representative Gonzales.

24 REPRESENTATIVE GONZALES: Thank you,  
25 Mr. Speaker, Members. Throughout the day, we've been

1 talking about these provisional ballots that are to be  
2 voted and the affidavits that have to be signed. All  
3 this -- all this amendment does is it requires that the  
4 affidavits be available at every polling place.

5 If we want to ensure that every person  
6 that's eligible to vote is given an opportunity to vote,  
7 we need to have the tools made available to them,  
8 including these affidavits that they can sign if they  
9 don't have their ID at the time and need to vote a  
10 provisional ballot. I hope it will be acceptable to the  
11 author.

12 SPEAKER: Ms. Harless, for what purpose?

13 REPRESENTATIVE HARLESS: Will the -- will  
14 the member yield?

15 SPEAKER: Do you yield?

16 REPRESENTATIVE GONZALES: Yes, I will.

17 SPEAKER: She yields.

18 REPRESENTATIVE HARLESS: I wanted to clarify  
19 what our conversation was. You talked about having  
20 these affidavits at the polling place that they have to  
21 sign if they're casting a provisional ballot. You're  
22 not in any way trying to cut out the photo ID  
23 requirements, are you?

24 REPRESENTATIVE GONZALES: Not with this  
25 particular amendment. This amendment would simply say

1       your bill already includes the requirement that the  
2       affidavit be signed if they have to sign a -- or fill  
3       out a provisional ballot.

4               All this would say is let's make it  
5       available to them at the polling places so that they  
6       don't have to be traveling to another location to fill  
7       out an affidavit.

8               REPRESENTATIVE HARLESS: Right. So, they  
9       show up at a polling place and they don't have one of  
10      the subscribed forms of identification?

11              REPRESENTATIVE GONZALES: Correct.

12              REPRESENTATIVE HARLESS: And they fill out a  
13      provisional ballot and have to sign an affidavit?

14              REPRESENTATIVE GONZALES: Correct.

15              REPRESENTATIVE HARLESS: And you're saying  
16       when they're at that polling place, if they want to cast  
17       the provisional ballot that requires the affidavit  
18       signed, that that polling place should have that --  
19       those -- those affidavits there on location site?

20              REPRESENTATIVE GONZALES: That's correct.  
21       That's correct.

22              REPRESENTATIVE HARLESS: Could we -- could I  
23       ask that the -- our comments be recorded?

24              SPEAKER: Members, you've heard the motion.  
25       Is there any objection? So ordered -- the Chair has

1 done. So ordered.

2 Ms. Gonzalez sends up the amendment. The  
3 amendment is acceptable. Is there any objection?

4 The Chair hears none. The amendment is  
5 adopted.

6 Following the amendment, the clerk will read  
7 the amendment.

8 CLERK: Amendment by Miles.

9 SPEAKER: The Chair recognizes Mr. Miles to  
10 explain his amendment.

11 REPRESENTATIVE MILES: Thank you, Mr.  
12 Speaker, Members. The statistics are showing that  
13 minorities and low income individuals are the most  
14 unrepresented groups in the electoral process. And in  
15 Texas, we rank dead last in voter turnout.

16 Members, under the current bill, the  
17 Secretary of State is requiring us to conduct a  
18 statewide (Inaudible) education and voter regarding ID  
19 requirements to the tune of \$2.4 million.

20 Members, my amendment simply states the  
21 purpose is for the Secretary of State to ensure voter  
22 registration includes initiatives given towards  
23 minorities and low income residents.

24 Members, we have an electoral crisis on our  
25 hands, and no matter if we're Republican or Democrat, we

1 owe it to our constituents, especially those that are  
2 most under represented, to provide them with all the  
3 necessary tools to become educated in the electoral  
4 practice.

5 SPEAKER: Representative Harless, for what  
6 purpose?

7 REPRESENTATIVE HARLESS: Will the member  
8 yield?

9 REPRESENTATIVE MILES: Yes, I will.

10 SPEAKER: He yields.

11 REPRESENTATIVE HARLESS: I agree with your  
12 amendment. I just want to make sure we're not  
13 specifically talking about a dollar amount?

14 SPEAKER: Members, could we have order,  
15 please, on the floor? Take your conversations outside  
16 the rail.

17 REPRESENTATIVE HARLESS: We're not  
18 specifically talking about a dollar amount, we just want  
19 the statewide effort to include education training?

20 REPRESENTATIVE MILES: That is correct.  
21 That's correct, ma'am.

22 REPRESENTATIVE HARLESS: Thank you.

23 REPRESENTATIVE MILES: My amendment is  
24 acceptable by the -- by the author, and I move  
25 acceptance.

1 SPEAKER: Representative Miles sends up the  
2 amendment. It's acceptable to the author. Is there any  
3 objection?

4 The Chair hears none. The amendment is  
5 adopted.

6 Following the amendment, the clerk will read  
7 the amendment.

8 Ms. Harper-Brown.

9 CLERK: Amendment by Harper-Brown.

10 SPEAKER: The Chair recognizes  
11 Representative Harper-Brown to explain her amendment.

12 REPRESENTATIVE HARPER-BROWN: Thank you,  
13 Mr. Speaker, Members.

14 Members, this amendment solves the problem  
15 that Representative Anchia brought up earlier where  
16 there was actually an out in the bill that would allow a  
17 person to go in and vote and never show a photo ID.

18 It actually eliminates those provisions  
19 where the affidavit is needed for indigent or religious  
20 purposes. And I move passage.

21 SPEAKER: Representative Harper-Brown sends  
22 up an amendment. Is it acceptable to the author?

23 The amendment is acceptable to the author.  
24 Is there any objection?

25 Mr. Anchia, for what purpose?

1                   REPRESENTATIVE ANCHIA: I'd like to ask the  
2 lady some questions, please.

3                   SPEAKER: The lady has yielded the floor.

4                   REPRESENTATIVE ANCHIA: Should the author of  
5 the amendment -- may I ask the author of the amendment  
6 some questions?

7                   SPEAKER: The lady yields for one question.

8                   REPRESENTATIVE HARPER-BROWN: Thank you,  
9 Mr. Speaker.

10                  I yield for a question.

11                  REPRESENTATIVE ANCHIA: Okay. What is  
12 the -- can you -- I couldn't hear what was going on at  
13 the front mic, so, could you discuss what your amendment  
14 does?

15                  REPRESENTATIVE HARPER-BROWN: Yes.

16                  Representative Anchia, this is the section of the Code  
17 or the section of the bill that you discussed earlier  
18 that talks about how someone could actually go in and  
19 vote without showing an ID at all if they sign an  
20 affidavit saying that they have a problem due to the  
21 religious objection or the indigence.

22                  And so, it takes those two provisions out  
23 and just says you can vote provisionally and then you  
24 have the six days to bring the photo ID in to prove that  
25 you -- that you have -- that you can vote.

1                   REPRESENTATIVE ANCHIA: Okay. So, it just  
2 removes indigence exception and religious objection?

3                   REPRESENTATIVE HARPER-BROWN: That's it.

4                   REPRESENTATIVE ANCHIA: Those are the  
5 exceptions right now. And what you have to do after six  
6 days is come in and cure only with a photo ID?

7                   REPRESENTATIVE HARPER-BROWN: Within the six  
8 days.

9                   REPRESENTATIVE ANCHIA: Within the six day  
10 cure period?

11                  REPRESENTATIVE HARPER-BROWN: Right. Right.  
12 Thank you.

13                  SPEAKER: Representative Harper-Brown sends  
14 up an amendment. It is acceptable to the author. Is  
15 there any objection?

16                  The Chair hears none. The amendment --

17                  There is an objection. Members --

18                  Ms. Harper-Brown sends up an amendment.

19                  There is an objection. The question is on the -- on the  
20 amendment itself. Members vote aye, members vote no.  
21 Ms. Harper-Brown is voting aye. Clerk will ring the  
22 bell. Mr. Villarreal is voting no.

23                  Have all members voted? Show Representative  
24 Rodriguez voting no -- aye -- voting aye. Have all  
25 members voted? By vote of 107 ayes, 40 nays, 2 present

1 not voting, the amendment is passed.

2 Following the amendment, the clerk will read  
3 the amendment.

4 Mr. Dutton.

5 CLERK: Amendment by Dutton.

6 SPEAKER: Mr. Dutton?

7 Following the amendment, the clerk will read  
8 the amendment.

9 CLERK: Amendment by Gonzalez of El Paso.

10 SPEAKER: The Chair recognizes  
11 Representative Gonzalez to explain her amendment.

12 REPRESENTATIVE GONZALEZ: Members, this is  
13 the amendment that we heard earlier and no news --  
14 nothing further to report on that. So, I move passage  
15 of this amendment, and I believe it's acceptable to  
16 the -- to the author.

17 SPEAKER: Representative Gonzalez sends up  
18 an amendment. It's acceptable to the author. It is  
19 acceptable to the author? Is there any objection?

20 The Chair hears none. The amendment is  
21 adopted.

22 Following the amendment, the clerk will read  
23 the amendment.

24 CLERK: Amendment by Dutton.

25 SPEAKER: The Chair recognizes Mr. Dutton to

1 explain his amendment.

2 REPRESENTATIVE DUTTON: In keeping with  
3 their motion to table, I move passage.

4 Mr. Speaker, Members, this amendment  
5 simply -- in the bill, it says for 60 and under, this  
6 card is going to cost you \$15. This just changes it to  
7 10 in light of our budget situation and everybody else's  
8 budget situation.

9 SPEAKER: The Chair recognizes  
10 Representative Harless to speak against the amendment.

11 REPRESENTATIVE HARLESS: Thank you,  
12 Mr. Speaker, Members. This is not the proper venue for  
13 this debate on this issue. This should be debated in a  
14 transportation related bill.

15 This cost is not related to the free ID for  
16 voting purposes, and I ask that you table the amendment.

17 SPEAKER: Representative Dutton sends up an  
18 amendment.

19 The Chair recognizes Representative Dutton  
20 to close.

21 REPRESENTATIVE DUTTON: Mr. Speaker,  
22 Members, in light of the fact that the -- these are  
23 financially difficult times, I thought it ought to be  
24 also reflected in a cost of obtaining this card that  
25 it's not \$15. All this does is changes it to \$10. I

1       don't think that's too much to ask. And so, in light of  
2       all of the budget considerations that we in this House  
3       have had to make and that people back home are having to  
4       make, I thought it was just appropriate to change this  
5       to \$10 rather than 15.

6                   And so, with that, I would ask you to  
7       move -- vote no on the motion to table.

8                   SPEAKER: Mr. Dutton sends up an amendment.  
9       Representative Harless moves to table. The question is  
10      on the motion to table. Members vote aye, members vote  
11      no.

12                  Show Representative Harless voting aye.

13                  Mr. Dutton voting no. Clerk will ring the bell.

14                  Have all members voted? By a vote of 99  
15      ayes, 47 nays, 2 present not voting, the motion to table  
16      prevails.

17                  Following the amendment, the clerk will read  
18      the amendment.

19                  CLERK: Amendment by Dukes.

20                  SPEAKER: The Chair recognizes  
21      Representative Dukes to explain her amendment.

22                  Representative Dukes?

23                  Following the amendment, the clerk will read  
24      the amendment.

25                  Hold on.

1                   The Chair recognizes Representative Dukes to  
2 explain her amendment.

3                   REPRESENTATIVE DUKES: Mr. Speaker, Members,  
4 this -- the author of this bill has repeatedly stated  
5 that the purpose is not to require anyone to have to go  
6 and buy a new ID. The DPS will issue an ID if you go in  
7 and request it for the purposes of voting.

8                   So, what this amendment does is it ensures  
9 that DPS would not be able to charge for the ID by  
10 changing the permissive language of may not to shall not  
11 charge for the ID.

12                   Repeatedly, the author has stated that this  
13 bill was not about requiring the purchase of a new ID,  
14 and language in the bill has stated that one would not  
15 be charged for an ID if they went in and stated it for  
16 these purposes.

17                   Therefore, if permissive language is in the  
18 law, a year from now, some months from now, DPS can  
19 decide, well, it doesn't completely preclude us from  
20 charging, so, we can, therefore, start to charge.

21                   SPEAKER: Ms. Truitt, for what purpose?

22                   REPRESENTATIVE TRUITT: Does the gentlelady  
23 yield?

24                   SPEAKER: Ms. Dukes, do you yield?

25                   REPRESENTATIVE DUKES: Yes, I will.

1 SPEAKER: She yields.

2 REPRESENTATIVE TRUITT: Ms. Dukes, what if  
3 they weren't going to use it for voting? How would --  
4 what if they weren't going to use it for voting  
5 purposes?

6 REPRESENTATIVE DUKES: What if they only  
7 want to use it for voting purposes?

8 REPRESENTATIVE TRUITT: No. If they -- if  
9 they are not going to use it for voting purposes, they  
10 just -- it's just an ID but they may not be using it for  
11 voting purposes, how would --

12 REPRESENTATIVE DUKES: That's a different  
13 subject. The bill already has language in it that the  
14 agency cannot charge them if they state it is for the  
15 purpose -- so, the area in the bill that I'm changing is  
16 specific to the ID to be used for voting, that they  
17 shall not be able to charge for that.

18 REPRESENTATIVE TRUITT: Oh, okay. You're  
19 converting a may to a shall?

20 REPRESENTATIVE DUKES: Correct. It's a  
21 wonderful amendment and it's acceptable to the author.  
22 Thank you.

23 SPEAKER: Representative Dukes sends up an  
24 amendment that is acceptable to the author. Is there  
25 any objection?

1                   The Chair hears none. The amendment is  
2 adopted.

3                   Following the amendment, the clerk will read  
4 the amendment.

5                   CLERK: Amendment by Representative Dutton.

6                   SPEAKER: The Chair recognizes  
7 Representative Dutton to explain his amendment.

8                   REPRESENTATIVE DUTTON: Mr. Speaker,  
9 Members, there's, at least in my mind, some confusion  
10 about the previous amendment. I think what it does,  
11 though, it prohibits them from charging a fee for a  
12 personal identification certificate for a person who  
13 says they want to use that to vote; is that right? Is  
14 that right?

15                   It's my understanding that that's already in  
16 the bill, so, I'm going to withdraw my amendment.

17                   SPEAKER: Amendment withdrawn.

18                   Following the amendment, the clerk will read  
19 the amendment.

20                   Mr. Raymond.

21                   CLERK: Amendment by Raymond.

22                   SPEAKER: The Chair recognizes  
23 Representative Raymond to explain his amendment.

24                   REPRESENTATIVE RAYMOND: Thank you,  
25 Mr. Speaker, Members.

1                   Members, this amendment simply states that  
2 the Section 31.012, the voter identification education  
3 portion of the bill, which is on Page 3, would let  
4 the -- Section 203 and 14F4 of the Voting Rights Act  
5 would apply to this section. Move adoption.

6                   SPEAKER: The Chair recognizes  
7 Representative Harless to speak against the amendment.

8                   REPRESENTATIVE HARLESS: Mr. Speaker,  
9 Members, Voting Rights Act either does or does not apply  
10 to various sections of this bill. This is for the  
11 Supreme Court to determine and not the Texas  
12 legislature.

13                   I move to table.

14                   SPEAKER: For what purpose?

15                   REPRESENTATIVE RAYMOND: Does the gentlelady  
16 yield?

17                   SPEAKER: Do you yield?

18                   REPRESENTATIVE HARLESS: Yes.

19                   SPEAKER: She yields.

20                   REPRESENTATIVE RAYMOND: Ms. Harless, do you  
21 believe the Voting Rights Act?

22                   REPRESENTATIVE HARLESS: I'm sorry?

23                   REPRESENTATIVE RAYMOND: Do you believe the  
24 Voting Rights Act? Do you believe the Voting Rights Act  
25 is a good law?

1 REPRESENTATIVE HARLESS: I do.

2 REPRESENTATIVE RAYMOND: So, you believe  
3 there's still discrimination in the voting place?

4 REPRESENTATIVE HARLESS: I'm sorry.

5 REPRESENTATIVE RAYMOND: So, you believe  
6 there is still discrimination in the voting place?

7 REPRESENTATIVE HARLESS: No, I do not think  
8 there is.

9 REPRESENTATIVE RAYMOND: Then why do you  
10 think that we -- that the Voting Rights Act is a good  
11 law?

12 REPRESENTATIVE HARLESS: I think at the time  
13 when it was passed, it was very effective. Texas is a  
14 Section 5 state. It's going to have to go for  
15 preclearance before the Department of Justice or the  
16 three federal judges in the District of Columbia. They  
17 will decide if we have met the standards of the Voting  
18 Rights Act. This is not the venue for us to decide.  
19 We -- we've got the lines that they have drawn in the  
20 cases that we've already seen. We know that. We know  
21 what the standards they've set. We've complied with  
22 that in our bill. This is not the venue to --

23 REPRESENTATIVE RAYMOND: Do you believe --  
24 are you telling me you believe that we don't need the  
25 Voting Rights Act any more?

1                   REPRESENTATIVE HARLESS: You're putting  
2 words in --

3                   REPRESENTATIVE RAYMOND: I'm asking. Do you  
4 believe --

5                   REPRESENTATIVE HARLESS: You're putting  
6 words into my mouth.

7                   REPRESENTATIVE RAYMOND: Do you believe we  
8 still need the Voting Rights Act?

9                   REPRESENTATIVE HARLESS: I don't think this  
10 is the place to debate that.

11                  REPRESENTATIVE RAYMOND: Yes, ma'am, it is  
12 entirely a place to debate that. This is a -- would you  
13 agree that this is a major piece of legislation dealing  
14 with voting in the State of Texas?

15                  REPRESENTATIVE HARLESS: I do.

16                  REPRESENTATIVE RAYMOND: And you do not  
17 believe that the Voting Rights Act should be discussed  
18 in this context?

19                  REPRESENTATIVE HARLESS: We have discussed  
20 it.

21                  REPRESENTATIVE RAYMOND: Okay. Then let's  
22 continue to discuss it for a minute. Do you believe the  
23 Voting Rights Act is still necessary?

24                  REPRESENTATIVE HARLESS: I believe we're  
25 still under the regulations of the Voting Rights Act.

1                   REPRESENTATIVE RAYMOND: I'm asking you  
2 because you're the author of this very important bill  
3 and I think this is very important for people to  
4 understand your intent. Do you believe the Voting  
5 Rights Act is still necessary?

6                   REPRESENTATIVE HARLESS: As I've said  
7 before, this is a federal -- this is a federal issue to  
8 be decided by the federal courts. This isn't for us in  
9 the Texas Legislature to discuss right now.

10                  REPRESENTATIVE RAYMOND: Ma'am, you are  
11 dealing with legislation here -- you are -- you are  
12 proposing a bill that would affect every single voter in  
13 the State of Texas, including minorities. You would  
14 agree with that, right?

15                  REPRESENTATIVE HARLESS: Say that one more  
16 time. It's hard for me to hear you.

17                  REPRESENTATIVE RAYMOND: You are  
18 representing a bill that would affect the voting rights  
19 of every voter in the State of Texas, including  
20 minorities. Would you agree with that?

21                  REPRESENTATIVE HARLESS: I do not agree with  
22 that. I think --

23                  REPRESENTATIVE RAYMOND: Really? Your bill  
24 does not apply to minorities?

25                  REPRESENTATIVE HARLESS: I think we increase

1 access to the polls by putting some checks and balances  
2 that voters actually show ID that they are who they are  
3 when they show up to vote.

4 REPRESENTATIVE RAYMOND: Does your bill -- I  
5 have a very simple question. Does your bill apply to  
6 minorities in the State of Texas?

7 REPRESENTATIVE HARLESS: My bill -- my bill  
8 applies to everyone equally across the state.

9 REPRESENTATIVE RAYMOND: Including  
10 minorities; is that right?

11 REPRESENTATIVE HARLESS: Everyone.

12 REPRESENTATIVE RAYMOND: Including  
13 minorities?

14 REPRESENTATIVE HARLESS: All Texans.

15 REPRESENTATIVE RAYMOND: Including  
16 minorities?

17 REPRESENTATIVE HARLESS: All Texans.

18 REPRESENTATIVE RAYMOND: Including  
19 minorities?

20 REPRESENTATIVE HARLESS: All Texans.

21 REPRESENTATIVE RAYMOND: You won't even  
22 acknowledge whether or not your bill affects --

23 REPRESENTATIVE HARLESS: It -- I said it  
24 applies to all Texans.

25 REPRESENTATIVE RAYMOND: Including

1 | minorities, right?

2 REPRESENTATIVE HARLESS: All Texans, every  
3 voter in the state.

4 REPRESENTATIVE RAYMOND: Minorities are  
5 Texans, right?

6 REPRESENTATIVE HARLESS: Do you want to go  
7 back and forth all day? I've answered the question.

8 REPRESENTATIVE RAYMOND: No. I want you to  
9 answer the question, ma'am.

10 REPRESENTATIVE HARLESS: I did. It applies  
11 to all --

12 REPRESENTATIVE RAYMOND: With all due  
13 respect, I feel like you're being flippant about  
14 something that is very important to millions of Texans.

15 REPRESENTATIVE HARLESS: I absolutely don't  
16 mean to be flippant. If I'm coming across that way, I  
17 apologize.

18 REPRESENTATIVE RAYMOND: It's a very simple  
19 question.

20 REPRESENTATIVE HARLESS: And I gave you a  
21 very simple answer. It applies to all Texans.

22 REPRESENTATIVE RAYMOND: I will ask you -- I  
23 will ask you one more time. Does your bill apply to  
24 minorities?

25 SPEAKER: Time has expired. Point is well

1 taken. Sustained.

2 The Chair recognizes Representative Raymond  
3 to close on his amendment.

4 Mr. Raymond moves that the exchange between  
5 himself and Ms. Harless be reduced to writing and  
6 entered in the journal. Is there any objection?

7 The Chair hears none. So ordered.

8 The Chair recognizes Mr. Raymond to close.

9 REPRESENTATIVE RAYMOND: Mr. Speaker,  
10 Members, it is troubling to say the least that the  
11 author of this bill was not willing to acknowledge that  
12 this legislation will affect minority voters in the  
13 State of Texas. It is troubling to say the least.

14 It is doubly troubling that she is not  
15 willing to accept this simple amendment, which I know  
16 many of my Republican friends who would, I believe,  
17 accept if they gave it any thought, that says this will  
18 comply with the Voting Rights Act, that the section I  
19 specifically referred to here, the voter identification  
20 education section, would comply with Section 2, which is  
21 the language section of the Voting Rights Act.

22 It is disappointing that Ms. Harless would  
23 not accept the amendment. It is even more disappointing  
24 that she was not even willing to acknowledge that her  
25 legislation will affect minorities all over the State of

1 Texas.

2 I move -- I ask that you vote no.

3 SPEAKER: Mr. Veasey, for what purpose?

4 REPRESENTATIVE VEASEY: Will the gentleman  
5 yield for a question?

6 SPEAKER: Will you yield for a question?

7 REPRESENTATIVE RAYMOND: Yes.

8 SPEAKER: He yields.

9 REPRESENTATIVE VEASEY: Representative  
10 Raymond, why don't you think Representative Harless  
11 would answer your question directly? It was a very  
12 important question dealing with the Voting Rights Act.  
13 We -- we know that we are a Section 5 state. I hope  
14 that she knows that we're a Section 5 state since she's  
15 carrying this bill, and could you maybe elaborate on why  
16 she did not want to answer your question directly?

17 REPRESENTATIVE RAYMOND: You know, it's --  
18 it's hard to read someone else's mind but I will tell  
19 you that in 2006 -- I'm not sure every member in here  
20 knows this but in 2006, a man named George W. Bush  
21 signed into law the extension of the Voting Rights Act  
22 for 25 years, and he said although we've come a long  
23 way, there's a still a ways to go.

24 And for the author of this bill not to  
25 acknowledge what a president from this state was willing

1 to acknowledge a mere five years ago and, that is, that  
2 the Voting Rights Act is still necessary and that her  
3 bill would, in fact, affect millions of Texans who are  
4 minorities and who are protected by Section 2 of the  
5 Voting Rights Act is troubling.

6 I don't know what else to tell you but I  
7 think that -- I think it certainly should give people  
8 pause to think about what's going on here.

9 REPRESENTATIVE VEASEY: If you're the author  
10 of a bill like this that's going to drastically change  
11 election law in your state, don't you think you should  
12 have a good understanding of the Voting Rights Act and  
13 the history of the act and why it was passed before you  
14 embark on a piece of legislation that could have the  
15 type of consequences I believe that this piece of  
16 legislation will have?

17 REPRESENTATIVE RAYMOND: Well, I would  
18 expect that in the year 2011 but, you know, you just  
19 heard the exchange. It -- it was surprising and  
20 troubling to me that the author of this bill was not  
21 willing to acknowledge the importance of the Voting  
22 Rights Act and the fact that her bill would affect  
23 millions of Texans who are protected by it.

24 REPRESENTATIVE VEASEY: You have a good  
25 amendment and because of all the good amendments that

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1 have been turned down tonight, we can see exactly where  
2 this bill is headed.

3 Thank you, Representative Raymond.

4 REPRESENTATIVE RAYMOND: Thank you.

5 REPRESENTATIVE BERMAN: Mr. Speaker?

6 SPEAKER: Mr. Berman, for what purpose?

7 REPRESENTATIVE BERMAN: Does the gentleman  
8 yield?

9 REPRESENTATIVE RAYMOND: Yes, of course.

10 SPEAKER: He yields.

11 REPRESENTATIVE BERMAN: Richard, you're a  
12 good guy. And, Richard, are you a minority?

13 REPRESENTATIVE RAYMOND: I am.

14 REPRESENTATIVE BERMAN: Is Mr. Veasey a  
15 minority?

16 REPRESENTATIVE RAYMOND: Yes, sir.

17 REPRESENTATIVE BERMAN: Are you both Texans?

18 REPRESENTATIVE RAYMOND: Yes, sir, we are.

19 REPRESENTATIVE BERMAN: Ms. Harless answered  
20 the question, and she said all Texans.

21 REPRESENTATIVE RAYMOND: You know, Leo, and  
22 I am glad you called me Richard because I'd actually  
23 like for us to talk --

24 REPRESENTATIVE BERMAN: I like you.

25 REPRESENTATIVE RAYMOND: If you were

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1 listening to a bill and you had been around 75 years, as  
2 you just mentioned, she specifically would not say --  
3 when I asked a simple question are minorities -- you  
4 know, will this affect minorities, will your bill  
5 include minorities, in other words, I'm a minority, is  
6 this going to apply to me, yes, I'm going to need a  
7 voter ID to go vote, right?

8 REPRESENTATIVE BERMAN: Yeah, but --

9 (Inaudible).

10 REPRESENTATIVE RAYMOND: No. No. You  
11 listened to it, Leo. You listened to it. You listened  
12 to it. And I say, "Well, just tell me does this affect  
13 minorities?"

14 "It affects all Texans."

15 "Does this affect minorities?"

16 She wouldn't say it.

17 REPRESENTATIVE BERMAN: I think you hit her  
18 too hard really. I know you're a minority. I know --

19 REPRESENTATIVE RAYMOND: Leo, she's not a  
20 shrinking violet.

21 REPRESENTATIVE BERMAN: I know that.

22 REPRESENTATIVE RAYMOND: She's a tough lady.

23 REPRESENTATIVE BERMAN: I know that but she  
24 said all Texans, and all Texans include every minority  
25 in Texas.

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1 REPRESENTATIVE RAYMOND: Leo, do you --  
2 Leo --

3 REPRESENTATIVE BERMAN: Of course, they do.

4 REPRESENTATIVE RAYMOND: Let me ask you,  
5 Leo, do you believe that this law will apply to  
6 minorities in the State of Texas?

7 REPRESENTATIVE BERMAN: Yes, I do.

8 REPRESENTATIVE RAYMOND: You see, you were  
9 willing to answer it.

10 REPRESENTATIVE BERMAN: But she didn't have  
11 to. She --

12 SPEAKER: Representative Sheffield raised a  
13 point of order. The gentleman's time is expired. The  
14 point of order is well taken. Sustained.

15 REPRESENTATIVE RAYMOND: I'd like to make a  
16 motion to reduce the exchange between Ms. Harless and  
17 myself and Mr. Veasey and myself into writing and enter  
18 it into the journal.

19 SPEAKER: Members, you've heard the motion.  
20 Is there any objection?

21 The Chair hears none. So ordered.

22 Representative Raymond sends up the  
23 amendment. Representative Harless moves to table. The  
24 vote is on the motion to table. Members vote aye,  
25 members vote no. Show Representative Harless voting

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1 aye. Representative Raymond voting no. Clerk will ring  
2 the bell. Representative Gonzales voting aye.  
3 Representative Carter voting aye. Representative Chen  
4 and Dutton voting aye. Representative Branton voting  
5 aye.

6 Have all members voted? By a vote of 99  
7 ayes, 48 nays, 2 present not voting, the motion to table  
8 prevails.

9 Following the amendment --

10 CLERK: Amendment by Raymond.

11 SPEAKER: The Chair recognizes  
12 Representative Raymond.

13 REPRESENTATIVE RAYMOND: Okay. Members,  
14 since Ms. Harless would not accept an amendment to this  
15 bill, saying that this bill would comply with the Voting  
16 Rights Act, Section 5, then I now am offering an  
17 amendment that says it will apply to Section 2, which is  
18 the language section of the Voting Rights Act since we  
19 are a -- a language minority state. Move adoption.

20 SPEAKER: The Chair recognizes  
21 Representative Phillips in opposition.

22 REPRESENTATIVE PHILLIPS: Thank you, Mr.  
23 Speaker. I would move to -- I would speak in opposition  
24 to this amendment. Again, we're getting far -- far from  
25 what the Texas legislature needs to be doing, and I

1 would move to table.

2 REPRESENTATIVE RAYMOND: Mr. Speaker?

3 SPEAKER: Mr. Raymond, for what purpose?

4 REPRESENTATIVE RAYMOND: Does the gentleman  
5 yield?

6 SPEAKER: The gentleman yields.

7 REPRESENTATIVE PHILLIPS: Briefly. It's  
8 been a busy night. They keep growing.

9 REPRESENTATIVE RAYMOND: It won't be more  
10 than about 8 minutes.

11 Very simply, I guess I want to ask you do  
12 you -- do you believe that this bill should comply with  
13 the Voting Rights Act?

14 REPRESENTATIVE PHILLIPS: I believe that we  
15 need to follow the law and make sure that we comply with  
16 every constitutional requirement that is imposed on us  
17 as a body.

18 Now, what your -- this is a specific section  
19 and -- and portion of the Voting Rights Act. I don't  
20 know if those sections apply to this. That would be up  
21 to the -- that will be up to ultimately the Supreme  
22 Court to determine, and that's who we need to let  
23 determine it.

24 I don't think we need to be second guess  
25 what they do mean and don't mean and whether all of

1 these provisions apply.

2 REPRESENTATIVE RAYMOND: Well, let me ask --  
3 because I see a troubling pattern here.

4 REPRESENTATIVE PHILLIPS: I can't hear you.

5 REPRESENTATIVE RAYMOND: Let me ask, because  
6 I see a troubling pattern, a simple question. Do you  
7 believe that the Voting Rights Act is a good law?

8 REPRESENTATIVE PHILLIPS: That is not a  
9 question before this. There are issues -- there are  
10 issues of whether all of the Voting Rights Act are  
11 necessary at this time. There are parts of it that are  
12 important, have been important to transform elections in  
13 this -- in this nation.

14 REPRESENTATIVE RAYMOND: So, you believe --  
15 so, you don't believe that this -- the Voting Rights Act  
16 is necessarily necessary?

17 REPRESENTATIVE PHILLIPS: Mr. Raymond, I'm  
18 not going --

19 REPRESENTATIVE RAYMOND: No. No.

20 REPRESENTATIVE PHILLIPS: I'm not going to  
21 get into --

22 REPRESENTATIVE RAYMOND: No. No. This is  
23 important.

24 REPRESENTATIVE PHILLIPS: Hold on. Let me  
25 answer.

1                   REPRESENTATIVE RAYMOND: Let me ask my  
2 question. Let me ask my question and then you can  
3 answer. You're a smart guy.

4                   REPRESENTATIVE PHILLIPS: You ask a question  
5 and then you answer the question and then you ask a  
6 question and you won't let me answer.

7                   REPRESENTATIVE RAYMOND: No. No. Okay.  
8 Let me -- because I didn't ask it correct -- I didn't  
9 ask it clearly, I think.

10                  Do you believe -- do you believe that --  
11 Mr. Phillips --

12                  REPRESENTATIVE PHILLIPS: Go ahead. I'm  
13 waiting for your question.

14                  REPRESENTATIVE RAYMOND: Let me ask this:  
15 Do you recognize that Texas is a protected -- do you  
16 know or do you recognize if Texas is a protected state  
17 under the Voting Rights Acts? Just yes or no.

18                  REPRESENTATIVE PHILLIPS: Yes, I do.

19                  REPRESENTATIVE RAYMOND: Okay. So --

20                  REPRESENTATIVE PHILLIPS: The federal  
21 government, under George Bush, they voted to extend the  
22 Voting Rights Act for 25 years. Yes, they did.

23                  REPRESENTATIVE RAYMOND: Okay. So, you  
24 recognize we're covered by that then?

25                  REPRESENTATIVE PHILLIPS: Yes, and that's

1 the whole point. If we're covered by that, we're  
2 covered by that, and we don't need to say oh -- you're  
3 trying to impose something on this bill from a federal  
4 perspective. We either are or we aren't.

5 REPRESENTATIVE RAYMOND: Exactly. All I'm  
6 saying with this amendment -- all I'm saying with this  
7 amendment -- and this is why I'm baffled as to why you  
8 would move to table it -- is that if we don't comply  
9 with the Voting Rights Act, it should not become a law.

10 Is it your position if it does not comply  
11 with the Voting Rights Act, it should still become law?

12 REPRESENTATIVE PHILLIPS: You're bringing  
13 sections in and say that this has to apply to every  
14 provision and --

15 REPRESENTATIVE RAYMOND: No. No. No.

16 REPRESENTATIVE PHILLIPS: -- that's not what  
17 we need to do. We need to leave that for the federal  
18 government -- I mean, for the courts to decide whether  
19 we comply because the lawyers have worked through this  
20 to craft this, and we do not want to do anything that's  
21 going to violate -- that's what we're going to do.

22 REPRESENTATIVE RAYMOND: This -- this very  
23 specifically -- what you just said isn't accurate,  
24 Larry. This amendment very specifically -- this applies  
25 just to one section of the bill --

1 REPRESENTATIVE PHILLIPS: Right.

2 REPRESENTATIVE RAYMOND: -- the voter  
3 identification education section, that's all.

4 REPRESENTATIVE PHILLIPS: Okay.

5 REPRESENTATIVE RAYMOND: If you look at the  
6 amendment --

7 REPRESENTATIVE PHILLIPS: You're asking to  
8 include, right -- you're asking to include and say this  
9 section of federal law applies to what we're doing.  
10 That's part of the -- I don't -- I mean, from our --  
11 from my perspective, I don't need -- know that we need  
12 to be here saying, well, gosh, we want everything to  
13 apply to everything we do.

14 If it's covered by it, it's covered by it,  
15 Mr. Raymond. We don't need to include it.

16 REPRESENTATIVE RAYMOND: Surely, you do --

17 REPRESENTATIVE PHILLIPS: We don't determine  
18 that.

19 REPRESENTATIVE RAYMOND: Well, let me -- I  
20 want to make sure I'm hearing you right. Surely, you  
21 would want us to comply with federal voting rights --

22 REPRESENTATIVE PHILLIPS: Mr. Raymond,  
23 that's exactly --

24 REPRESENTATIVE RAYMOND: -- laws?

25 REPRESENTATIVE PHILLIPS: -- the point that

1 we've been making.

2 REPRESENTATIVE RAYMOND: You do want us to  
3 comply with -- so I'm clear, you do want this -- you do  
4 want --

5 REPRESENTATIVE PHILLIPS: No. We want to  
6 comply with federal law.

7 REPRESENTATIVE RAYMOND: Okay. So, you  
8 do --

9 REPRESENTATIVE PHILLIPS: And that's exactly  
10 the intended purpose of what we're doing here today in  
11 trying to comply with federal law, and that's why we're  
12 trying to keep this bill simple and the whole procedure  
13 simple instead of adding stuff to it that may trigger a  
14 section that does or does not apply. I don't see the  
15 problem with it.

16 REPRESENTATIVE RAYMOND: Again, are you  
17 saying that you want Senate Bill 14, the section that  
18 I -- the voter identification education section, do you  
19 want it to comply with the federal voting rights laws?

20 REPRESENTATIVE PHILLIPS: I want this to  
21 comply with Federal Rules, and if those voting rights  
22 laws that are in effect apply to this and they are  
23 constitutional, the Supreme Court will uphold it, and if  
24 they don't, they won't.

25 REPRESENTATIVE RAYMOND: Well, then all

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1 the -- all my amendment says --

2 REPRESENTATIVE PHILLIPS: No. Your  
3 amendment says this has to apply here, and -- and that's  
4 something we're saying we're not going to start doing.  
5 We could go through and say we want the entire  
6 constitution of the United States to apply to this law.  
7 It either does or it doesn't. We don't need to do that  
8 as a state.

9 REPRESENTATIVE RAYMOND: We're taking  
10 about --

11 REPRESENTATIVE PHILLIPS: The federal  
12 government -- the federal government passes the laws  
13 that they do, and we're either going to follow those  
14 laws or we're not. We either have to or we don't. And  
15 that is part of the debate that is going on across this  
16 nation of what we do. And we do not want to -- we don't  
17 want to incorporate federal -- we're trying to stop  
18 federal laws that we don't agree with.

19 REPRESENTATIVE RAYMOND: So, you believe  
20 that -- so I'm clear, you believe that this section of  
21 the bill, which deals with language, right, voter  
22 identification education and the words language are used  
23 in that section of the bill, you believe that they may  
24 not need to comply with the Voting Rights Act; is that  
25 correct?

1                   REPRESENTATIVE PHILLIPS: No. Either --  
2 they either do or they don't.

3                   REPRESENTATIVE RAYMOND: And if they don't,  
4 then it should not -- it should not --

5                   REPRESENTATIVE PHILLIPS: No. Then you're  
6 starting to put a requirement or a hurdle that may or  
7 may not need to be there.

8                   REPRESENTATIVE RAYMOND: Larry, how could  
9 you -- how could you honestly look at me and say --  
10 we're talking about --

11                  REPRESENTATIVE PHILLIPS: Because --

12                  REPRESENTATIVE RAYMOND: Let me finish my  
13 question.

14                  How could you honestly look at me and say we  
15 have a major piece of legislation here -- how could you  
16 look at me and honestly say we have a major piece of  
17 legislation here and the section of the bill that deals  
18 with voter identification education and uses the word  
19 language because, obviously, in the State of Texas,  
20 there are people like my grandmother who didn't speak  
21 English but who was a United States citizen her whole  
22 life, that that would not be covered and should not be  
23 covered by the Voting Rights Act? How could you  
24 honestly say that, Larry?

25                  SPEAKER: Representative Allen has raised a

1 point of order that the gentleman's time is expired.

2 The point of order is well taken and sustained.

3 The Chair recognizes Representative Raymond  
4 to close.

5 REPRESENTATIVE RAYMOND: Again, Members,  
6 it's -- it is -- it is frustrating in the year 2011 to  
7 stand up here and be debating members of this  
8 legislature who do not want -- who appear to be -- do  
9 not want the Voting Rights Act to apply to this bill.

10 It is -- it is disheartening, it is wrong,  
11 and I think in the end you will not prevail. We shall  
12 overcome. I move adoption.

13 I move to reduce to writing the exchange  
14 between Mr. Taylor and myself and my closing remarks to  
15 writing and put in the journal.

16 SPEAKER: You've heard the motion. Is there  
17 objection?

18 The Chair hears none. So ordered.

19 Mr. Raymond sends up an amendment. Mr.  
20 Phillips move to table. The question is on the motion  
21 to table. Vote aye, vote no. Show Mr. Raymond voting  
22 no. Mr. Phillips voting aye. Show Mr. Gonzales voting  
23 aye. Mr. Pena voting aye. Mr. Driver voting aye.  
24 Mr. Gutierrez voting no. Ms. Truitt voting aye. Show  
25 Ms. Harless voting aye. Ms. Giddings voting no.

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1                   Have all voted? Show Ms. Truitt voting aye.

2 There being 100 ayes, 49 nays, motion to table prevails.

3                   Following the amendment, the clerk will read  
4 the amendment.

5                   CLERK: Amendment by Dutton.

6                   SPEAKER: The Chair recognizes  
7 Representative Dutton.

8                   REPRESENTATIVE DUTTON: Thank you, Mr.  
9 Speaker, Members. This is an amendment that if you'll  
10 recall on the very first day this bill was out here,  
11 there was some confusion about whether or not the bill  
12 specified calendar days or business days.

13                   What this amendment does, it says simply  
14 seven business days, which conforms to the Election Code  
15 in regard to provisional ballots.

16                   And so, with that, I move -- I don't know if  
17 they've had a chance to look at it. If you all don't  
18 mind -- you all don't like it? Okay. Then I would wait  
19 to close, Mr. Speaker.

20                   SPEAKER: The Chair recognizes  
21 Representative Harless.

22                   REPRESENTATIVE HARLESS: Thank you, Members.  
23 This -- we kind of had some debate about this on Monday.  
24 This is the six days -- business days. It's changing to  
25 seven business days.

1                   The problem with this is that provisional  
2 ballots have to be counted within seven days, and if we  
3 extend it to seven days, we are not looking in the Code  
4 for the counting of the provisional ballots. So, I ask  
5 that you table this amendment.

6                   SPEAKER: The Chair recognizes  
7 Representative Dutton to close.

8                   REPRESENTATIVE DUTTON: Mr. Speaker and  
9 Members, if I agreed with her, I would vote yes on the  
10 motion to table but the fact of the matter is that's not  
11 the case.

12                  If you'll read the amendment, what this  
13 amendment does is changes it to seven business days. It  
14 was currently -- under the bill, it was six -- it was  
15 six days, not six business days or six calendar days but  
16 this just simply changes it to seven business days.

17                  In addition, what we also did, if you'll  
18 look on line 11, rather than the 7th day after the  
19 election, it changes it to the 9th day. And so, that's  
20 what the difference is.

21                  And the reason I offer this is because if  
22 you count the days from say a Tuesday on an election day  
23 and if you had two holidays -- if you had two days that  
24 were holidays, that it seemed to me that it was fairer  
25 to make it 7 business days as opposed to 6 calendar days

1 because 1 of those 6 days or 2 of those 6 days could be  
2 taken up in a holiday period.

3 And so, therefore, it was unclear as to  
4 whether or not you would still count those days because  
5 the bill doesn't specify that. My amendment makes it  
6 clear, however, that it is 7 business days and you have  
7 to do it by then.

8 It also, again, changes what Ms. Harless  
9 complains about from being the 7th day to the 9th day  
10 after the election. And so, that's what the amendment  
11 does, and I would ask you to vote no on the motion to  
12 table.

13 SPEAKER: Mr. Dutton sends up an amendment.  
14 Ms. Harless moves to table. This is on the motion to  
15 table. Vote aye, vote no. Show Ms. Harless voting aye.  
16 Mr. Dutton voting no.

17 Have all voted? Show Mr. Gonzales voting  
18 aye. Have all voted? Being 99 ayes, 48 nays, motion to  
19 table prevails.

20 The Chair recognize Representative Hunter  
21 for a motion.

22 REPRESENTATIVE HUNTER: Mr. Speaker,  
23 Members, I move to suspend all necessary rules to allow  
24 the Committee on Calendars to consider and set a  
25 calendar at 6:45 p.m. today in place 3W15.

1                   I also request permission for the Committee  
2 on Calendars to meet while the House is in session at  
3 6:45 p.m. today in 3W15 to consider and set a calendar.

4                   SPEAKER: Members, you've heard the motion.  
5 Is there objection?

6                   The Chairs hears none. So ordered.

7                   The Chair recognizes Representative Phillips  
8 for an announcement.

9                   REPRESENTATIVE PHILLIPS: Thank you, Mr.  
10 Speaker, Members. Those on the Transportation  
11 Committee, we're going to cancel the transportation  
12 continuation of the hearing tonight and we'll be posting  
13 for Monday to finish what we need to. We'll do all that  
14 posting later. Monday at 9:00.

15                   SPEAKER: Following the announcement, the  
16 clerk will read the announcement.

17                   CLERK: The Committee on Calendars will meet  
18 at 6:45 p.m. on March 23rd, 2011 at 3W.15. This will be  
19 a formal meeting to consider and set a calendar.

20                   SPEAKER: Following the amendment, the clerk  
21 will read the amendment.

22                   CLERK: Amended by Hernandez Luna.

23                   SPEAKER: The Chair recognizes Ms.  
24 Hernandez Luna.

25                   REPRESENTATIVE HERNANDEZ LUNA: Thank you,

1       Mr. Speaker, Members. This you can call the Anna  
2 Hernandez Luna amendment. This is for married -- women  
3 that have been recently married or divorced prior to an  
4 election and their driver's license may not match with  
5 their names on the registered voters' list.

6           Currently the bill allows for the election  
7 officer to make a determination of whether that name is  
8 substantially similar but I think if I show up to vote  
9 and I show my driver's license that I should be able to  
10 sign an affidavit stating that I am who I say I am under  
11 penalties of perjury by signing that affidavit.

12           SPEAKER: Ms. Hernandez Luna sends up an  
13 amendment. There's objection to the amendment. It's a  
14 record vote on the amendment. This is on the amendment.  
15 Clerk ring the bell. Show -- show Ms. Hernandez -- this  
16 is on the amendment. Show Ms. Hernandez -- Hernandez  
17 Luna voting -- voting aye. Show Ms. Harless voting no.  
18 Show Mr. Lucio voting aye. Show Mr. Martinez Fischer  
19 voting aye.

20           Have all voted? Show Mr. Veasey voting aye.  
21 Have all voted? There being 49 ayes and 99 nays, the  
22 amendment fails to adopt.

23           Following the amendment, the clerk will read  
24 the amendment.

25           CLERK: Amendment by Burnam.

1 SPEAKER: The Chair recognize Representative  
2 Burnam.

3 REPRESENTATIVE BURNAM: Mr. Speaker,  
4 Members, we alluded to this amendment earlier this  
5 afternoon when we were discussing the problem with the  
6 program that, frankly, disenfranchises, from a driving  
7 standpoint, over a hundred thousand Texans every year.

8 This amendment would address that. It says  
9 a temporary driving permit issued by the Department of  
10 Public Safety following the revocation of a driver's  
11 license. We alluded to the form and the permit, which  
12 has to be signed by an officer. This is not something  
13 that's likely to be forged but it would allow these  
14 people who are in this transitional situation the  
15 opportunity to vote in the event that this occurs the  
16 week before or two weeks before an election.

17 Move its adoption.

18 SPEAKER: Representative Burnam sends up an  
19 amendment. There is objection to the amendment. The  
20 question occurs on the adoption of the Burnam amendment.  
21 Vote aye, vote nay. Show Mr. Burnam voting aye. Show  
22 Ms. Harless voting no. Mr. Lucio voting aye. Mr.  
23 Anchia voting aye. Mr. Strama voting aye. Show  
24 Mr. Eiland voting aye.

25 Have all voted? Being 48 ayes and 100 nays,

1 the amendment failed to adopt.

2 Following the amendment, the clerk will read  
3 the amendment.

4 CLERK: Amendment by Anchia.

5 SPEAKER: The Chair recognizes  
6 Representative Anchia.

7 REPRESENTATIVE ANCHIA: Thank you,  
8 Mr. Speaker and Members. The -- the bill that we have  
9 before us creates all sorts of affidavits and  
10 exceptions, some of which have been removed but that the  
11 removal of those exceptions potentially create problems  
12 in terms of the constitutionality. No longer do we have  
13 an age exception. No longer do we have an indigent  
14 exception. No longer do we have a religious --  
15 religious objection. All of those have been removed,  
16 which I think creates a problem for this bill.

17 So, this amendment does something very  
18 simple. It says if you have your photo ID, terrific,  
19 you vote. If you have -- if you show up with your voter  
20 registration certificate, you vote a provisional ballot.  
21 Okay.

22 That provisional ballot then goes before --  
23 excuse me. That provisional ballot is accompanied by an  
24 affidavit that you sign. Okay. That provisional ballot  
25 and affidavit is then sealed and it's sent to the Ballot

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1       Board. The Ballot Board, as all of you know, came with  
2 elections. They are bipartisan boards that each county  
3 has.

4               When the Ballot Board looks at the  
5 provisional ballot, they will do a signature match of  
6 the affidavit and the application to register to vote  
7 that they have on file. That signature match is then  
8 currently with mail in ballots. Okay. So, this  
9 legislature believes that the mail in ballot signature  
10 match is good enough for an anonymous form of voting.  
11 This signature match would (Inaudible) for an in person  
12 form of voting with an affidavit, a signature match and  
13 then the provisional ballot would become a regular  
14 ballot if the signatures were substantially similar as  
15 established by the Ballot Board.

16               This will obviate the need for someone to  
17 come back six days later and try to prove up their  
18 identity. This would occur just like -- these ballots  
19 would be canvassed just like provisional ballots are  
20 canvassed -- excuse me -- just like mail in ballots are  
21 canvassed, and we don't have to worry about six days  
22 later, we don't have to worry about any of the  
23 affidavits that are currently in the bill or the  
24 exceptions that are currently in the bill. You wipe out  
25 all of the exceptions and you just treat all people that

1 come in with a voter registration card the same way.  
2 They vote a provisional ballot, they then do a signature  
3 match.

4 It's simple. They do this in the State of  
5 Florida. It works very well, and it will prevent Texans  
6 from being left behind. I think this is a reasonable  
7 approach and a much better approach than is currently  
8 contained in this bill. I move adoption.

9 SPEAKER: The Chair recognizes  
10 Representative Hancock in opposition.

11 REPRESENTATIVE HANCOCK: Yes, Members, I  
12 move to table this bill. This actually weakens the bill  
13 due to treating provisional ballots as absentee ballots.  
14 I move to table.

15 SPEAKER: Mr. Strama, for what purpose?

16 REPRESENTATIVE STRAMA: For a question.  
17 Will the gentleman yield for a question?

18 SPEAKER: Mr. Hancock, do you yield?

19 REPRESENTATIVE HANCOCK: Yes.

20 SPEAKER: The gentleman yields.

21 REPRESENTATIVE STRAMA: Thank you,  
22 Representative Hancock.

23 Frankly, I think this is the amendment that  
24 highlights the crux of the issue here. And there are  
25 two ways to look at it. We can look at it as this

1       weakens the bill but highlights the underlying  
2       vulnerability of the bill at its essence or this bill  
3       puts the election day voting process on a par with  
4       absentee voting, which you guys don't eliminate under  
5       this bill.

6               Here's my question: Why shouldn't people  
7       who show up at the polling place on election day with  
8       the intention of voting in person be allowed to  
9       authenticate their ballot through the provisional voting  
10      process in the same way this bill allows people who vote  
11      by mail to authenticate their identity through the mail  
12      in voting process?

13              REPRESENTATIVE HANCOCK: I think if you're  
14       looking to improve or maybe strengthen the absentee  
15       ballot process, I'd be glad to look at that bill.

16              REPRESENTATIVE STRAMA: That's not the  
17       question I asked.

18              REPRESENTATIVE HANCOCK: That's not what  
19       we're doing here in this bill. And  
20       Representative Harless has actually done a pretty good  
21       job of providing guidelines regarding provisional  
22       ballots. And so, in the move to table, what I'm saying  
23       is I appreciate the good work she's done, the committee  
24       has done in this looking at this bill and think that the  
25       provisions that are in there for provisional ballots are

1 sufficient at this time.

2 REPRESENTATIVE STRAMA: Let me ask you this:

3 Are you -- are you concerned -- well, let me ask you a  
4 different way.

5 Do you believe people should have the right  
6 to vote by mail? Under current law, you have an  
7 unlimited right to vote by mail if you're 65 or if  
8 you're sick or if you're disabled or if you're going to  
9 be traveling. Do you think that that's a fair thing to  
10 allow people to do?

11 REPRESENTATIVE HANCOCK: Well, we're  
12 actually not talking about voting by mail. We're  
13 talking about voter ID and --

14 REPRESENTATIVE STRAMA: Okay. I'm capable  
15 of understanding the relationship between my question  
16 about the validity of voting by mail and the  
17 implications that have for the merits of this bill. So,  
18 could you answer the question that I asked about whether  
19 you think it is right that people be allowed to vote by  
20 mail?

21 REPRESENTATIVE HANCOCK: But I think the  
22 question and the communication between the front mic and  
23 the back mic is actually supposed to be about the  
24 amendment that's on the floor and the amendment says --

25 REPRESENTATIVE STRAMA: Do you want me to

1 draw the line between the validity of the absentee  
2 balloting process to the validity of an amendment that  
3 allows people to vote a provisional ballot with the same  
4 signature verification process that we allow for people  
5 who vote by mail? Do you want me to draw that line for  
6 you more clearly or do you want to answer my question?

7 REPRESENTATIVE HANCOCK: Well, what I was  
8 saying is if you would like to distinguish the  
9 difference between a provisional ballot, which  
10 Representative Harless has clearly addressed in the bill  
11 in many provisions, and the weakening of that by  
12 applying a mail in ballot, then we can discuss the  
13 distinction but I'd rather stick on the bill and the  
14 amendment and how it applies to the bill.

15 REPRESENTATIVE STRAMA: What this amendment  
16 does is it would subject that provisional ballot to the  
17 same verification process as a mail in ballot, which I  
18 believe makes my question germane to this amendment. Do  
19 you believe mail in ballots should be allowed under the  
20 current law?

21 REPRESENTATIVE HANCOCK: I believe that the  
22 difference in the mail in ballot provisions that we have  
23 and the provisions that Ms. Harless has addressed for  
24 provisional ballots are significantly different and  
25 would actually weaken the bill.

1                   REPRESENTATIVE STRAMA: You are correct that  
2 they are significantly different. The question is why?

3                   REPRESENTATIVE HANCOCK: Well, I believe  
4 that Ms. Harless has addressed the provisional ballots  
5 in an ample way that allows everyone to vote, and I do  
6 believe that there are differences that would actually  
7 weaken the bill if we pass this amendment.

8                   REPRESENTATIVE STRAMA: Do you think people  
9 should be allowed to vote by mail?

10                  REPRESENTATIVE HANCOCK: I believe that Ms.  
11 Harless has given everybody that comes to a voting place  
12 the opportunity to vote and she does that very  
13 adequately in a provisional --

14                  REPRESENTATIVE STRAMA: Do you believe --

15                  REPRESENTATIVE HANCOCK: And I believe if we  
16 accept the amendment that it actually weakens the bill.

17                  REPRESENTATIVE STRAMA: Let me ask my  
18 question a different way.

19                  Do you think people should be allowed to  
20 vote by mail without showing photo ID?

21                  REPRESENTATIVE HANCOCK: I believe that the  
22 bill is addressing photo ID, and I'd be glad to talk  
23 about that. The provisional ballot allows them to vote  
24 with a photo ID under the provisions that she's applied  
25 in the bill.

1                   REPRESENTATIVE STRAMA: Let me ask the  
2 question a different way.

3                   Do you believe that under the provisions of  
4 this bill a person is allowed to vote an absentee ballot  
5 by mail without demonstrating photo identification?

6                   REPRESENTATIVE HANCOCK: I don't believe  
7 that this bill or the amendment addresses absentee  
8 ballot mail in.

9                   REPRESENTATIVE STRAMA: So, then --

10                  REPRESENTATIVE HANCOCK: What you're  
11 attempting to do is actually weaken the provisional  
12 ballot process that Ms. Harless has addressed very  
13 clearly in the bill.

14                  REPRESENTATIVE STRAMA: Okay. Let's --  
15 let's try to reason together, Representative Hancock.  
16 Do you understand why I'm asking about mail in ballots  
17 even though this amendment deals specifically with  
18 provisional ballots, it is because there is a standard  
19 for verifying the validity of a mail in ballot and this  
20 amendment would adopt that standard for validating a  
21 provisional ballot, so, I don't think you can argue that  
22 I'm not being germane to the amendment. You might  
23 choose not to answer the question for other reasons but  
24 it's not because I'm not being relevant to the  
25 amendment.

1                   So, my question is do you agree that under  
2 the law as it will be if this bill passes, individuals  
3 are allowed under the law to cast a mail in ballot  
4 without demonstrating photo ID?

5                   REPRESENTATIVE HANCOCK: I believe you've  
6 properly addressed that there is a difference in a mail  
7 in ballot and a provisional ballot and the intent to  
8 apply a mail in ballot standard for provisional ballots  
9 significantly weakens this bill.

10                  REPRESENTATIVE STRAMA: So, then the mail in  
11 ballot standard in current law is not a valid standard  
12 for authenticating the identity of the voter, is that  
13 your position?

14                  REPRESENTATIVE HANCOCK: There's a  
15 significant difference in what we call the mail in  
16 ballot and the provisions that we have in a mail in  
17 ballot and the provisions that Ms. Harless has required  
18 in the bill that allow anyone to --

19                  REPRESENTATIVE STRAMA: That's the point of  
20 this amendment, there are significant differences. The  
21 point of this amendment is there is no rational basis  
22 for those differences. There's no rational basis.

23                  So, my question is if you believe it is  
24 not -- it is not sufficiently protective of the  
25 integrity of the electoral process to allow a signature

1 match to validate the identity of a provisional voter,  
2 then why is it acceptable to you to allow a signature  
3 match to validate the identity of a mail in voter?

4 REPRESENTATIVE HANCOCK: I think you have  
5 properly addressed the fact that a mail in ballot may  
6 cause some problems in the integrity of the voting.

7 Ms. Harless has done an excellent job regarding voter ID  
8 in her desire to maintain voting integrity within the  
9 provisions of a provisional ballot.

10 REPRESENTATIVE STRAMA: I think I'm out of  
11 time.

12 SPEAKER: Representative Woolley raised a  
13 point of order. The gentleman's time expired. Point of  
14 order is well taken. Sustained.

15 Representative Hunter, Cook, Rodriguez,  
16 Truitt, Branch, Lucio, (Inaudible) Patrick,  
17 Representative Kolkhorst, Keffer and Bonham, (Inaudible)  
18 Calendars Committee on the motion to Representative  
19 Hancock, Representative Garren, Calenders Committee on  
20 the motion (Inaudible). Is there objection?

21 Chair hears none. So ordered.

22 Chair recognizes Representative Anchia to  
23 close.

24 REPRESENTATIVE ANCHIA: Thank you, Mr.  
25 Speaker and Members. I just don't think Representative

1 Hancock has a handle what this does. He says it weakens  
2 the bill. It certainly does not do that. I think it  
3 improves the bill by allowing a person who comes with a  
4 voter registration certificate to be able to execute the  
5 same type of affidavit that's found throughout this  
6 bill, Members.

7 And then it subjects -- then they go to  
8 professional ballot but the difference between the  
9 approach that is contained in this bill and the approach  
10 that's contained in the amendment is that that  
11 provisional ballot may be counted if the signatures  
12 match, and it obviates the need for person to come back  
13 6 days later.

14 It makes the most sense in the world. It's  
15 how we treat mail in ballots today. And mail in  
16 ballots, as you all know, are exempted from this bill.  
17 They are specifically ignored by this bill.

18 So, if it's good enough for mail in ballots,  
19 it certainly should make some sense for how we count  
20 these provisional ballots through the --

21 REPRESENTATIVE STRAMA: Does the gentleman  
22 yield?

23 REPRESENTATIVE ANCHIA: Yes, I yield.

24 SPEAKER: Mr. Strama, for what purpose?

25 REPRESENTATIVE STRAMA: To ask a couple of

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1       questions. We agree on this bill, Representative  
2       Anchia. We're co-authors.

3                   REPRESENTATIVE ANCHIA: I'm only going to  
4       yield for one. No, I'm kidding.

5                   REPRESENTATIVE STRAMA: I just want to get  
6       in the record some facts, if you don't mind.

7                   REPRESENTATIVE ANCHIA: Please.

8                   REPRESENTATIVE STRAMA: Is it the case under  
9       current law that one does not have to show photo ID to  
10      vote by mail?

11                  REPRESENTATIVE ANCHIA: That is correct.

12                  REPRESENTATIVE STRAMA: Is that continued --  
13      will that continue to be the case if the bill passes as  
14      current in its current form?

15                  REPRESENTATIVE ANCHIA: Yes, it will.

16                  REPRESENTATIVE STRAMA: Isn't it the logical  
17      conclusion of Representative Hancock's argument just now  
18      that that is an unsatisfactory outcome if your amendment  
19      is not acceptable, if it does not set a high enough  
20      standard for validating the identity of the voter, then  
21      how can they tolerate -- given all we've heard about the  
22      integrity of the election being sacrificed, how can they  
23      tolerate allowing people to vote by mail without  
24      demonstrating photo ID?

25                  REPRESENTATIVE ANCHIA: I believe -- I

1 believe that was his conclusion. I also see the patent  
2 inconsistency in that conclusion, which leads me to  
3 further believe that this bill is not about the  
4 integrity of elections because if it were --

5 REPRESENTATIVE STRAMA: I'm saddened to say  
6 I'm reaching the same conclusion.

7 REPRESENTATIVE ANCHIA: I fear -- at the  
8 outset of this debate, I feared that that might be one  
9 of the outcomes, and I think the -- and I think not  
10 taking this amendment causes me to have even deeper  
11 concerns about the motivations behind this bill.

12 It's really silly that we're going to be  
13 treating mail in ballots where 70 percent of the fraud  
14 occurs according to the AG's convictions, with a  
15 signature match, whereas, the provisional ballots  
16 hereunder we would not even treat with a signature match  
17 and allow to become a regular ballot if those signatures  
18 were substantially similar. I -- I don't understand the  
19 logic and it is -- it is allowing me to come to the  
20 conclusion that this must not be about ballot integrity.

21 Thank you, Members. I -- I ask that you  
22 vote against the motion to table.

23 SPEAKER: Representative Anchia sends up an  
24 amendment. Representative Hancock moves to table. This  
25 is on the motion to table. Vote aye, vote nay. Show

1 Ms. Harper Brown voting aye.

2 Have all voted? Show (Inaudible) voting no.

3 Show Mr. Bonnen voting aye. Show Ms. Truitt voting aye.

4 Have all voted? Being 94 ayes and 47 nays,  
5 motion to table prevails.

6 Following the amendment, the clerk will read  
7 the amendment.

8 CLERK: Amendment by Menendez.

9 SPEAKER: The Chair recognizes Mr. Menendez.

10 REPRESENTATIVE MENENDEZ: Thank you,  
11 Mr. Speaker, Members. I'd like to get your attention  
12 real briefly because this is amendment is an amendment  
13 that 88 of us have said we support. 88 of us have  
14 joined my good friend, Representative Burt Solomons, in  
15 saying we no longer want to send unfunded mandates to  
16 our cities and our counties.

17 So, if we don't want to send any unfunded  
18 mandates, then we need to follow this. This amendment  
19 simply says that if any of your counties deem the  
20 implementation of this bill to be a financial burden,  
21 they don't have to implement it at this time. They get  
22 to choose when they get to implement it.

23 The reason that I bring this amendment  
24 before you, Members, is I know that most of you and some  
25 of you in rural counties, your county will be able to

1       implement this without a problem but some of us in the  
2       larger urban counties -- I have here an article from a  
3       newspaper where our elections administrator said of  
4       course, it's going to cost more money. If we get  
5       10,000 -- 10 or 10,000 provisional votes, those people  
6       will all have the opportunity to bring a photo ID to our  
7       office down the street.

8               It also said the election office might need  
9       to be open on weekends to serve those who could not come  
10       by on the weekdays.

11               Members and state affairs, we heard from the  
12       county judges and Commissions Associations of Texas, we  
13       heard from the urban county, the Judges -- County Judges  
14       Commission Association of Texas, (Inaudible) County  
15       Judge, Urban County, Hobson County, Texas Association of  
16       County Justice Police Officers, Texas Municipal League,  
17       Houston County judge and (Inaudible) saying -- saying  
18       please don't send any more unfunded mandates.

19               The question that I had in discussing this  
20       amendment with my good friend Bill Callegari, a joint  
21       author --

22               SPEAKER: Mr. Gallego, for what purpose?

23               REPRESENTATIVE GALLEGGO: Mr. Speaker, would  
24       the gentleman yield?

25               REPRESENTATIVE MENENDEZ: Just one second

1 and I'll be happy to yield.

2 SPEAKER: Not at this time.

3 REPRESENTATIVE MENENDEZ: As I discussed  
4 this with Bill Callegari, I said, "Bill, the question is  
5 do we or do we not trust our county judges and  
6 commissioners court?"

7 And he said, "I trust mine."

8 I trust mine, too. The question is do you  
9 trust yours and do we believe in not sending unfunded  
10 mandates as a matter of principle or only when it's  
11 convenient to us?

12 So, it's either a principle that we will no  
13 longer send unfunded mandates -- if you sign on as a  
14 joint author and co-author, and 88 of us have, then you  
15 should support this amendment.

16 I will yield at this time.

17 REPRESENTATIVE GALLEGO: Mr. Speaker?

18 SPEAKER: Mr. Gallego, for what purpose?

19 REPRESENTATIVE GALLEGO: Will the gentleman  
20 yield for a question?

21 REPRESENTATIVE MENENDEZ: I'd be happy to  
22 yield.

23 REPRESENTATIVE GALLEGO: Mr. Menendez, in  
24 fact, the issue of local mandates -- unfunded mandates  
25 has been a fairly large -- a fairly big theme this

1 session, has it not?

2 REPRESENTATIVE MENENDEZ: Yes, it has.

3 REPRESENTATIVE GALLEGO: And the proposed  
4 constitutional amendment that you were talking about is  
5 HJR 56 that's authored by Mr. Solomons, Mr. Callegari,  
6 Ms. King and Ms. Kolkhorst?

7 REPRESENTATIVE MENENDEZ: That's correct. I  
8 am also a co-author of that because I believe in it.

9 REPRESENTATIVE GALLEGO: Were you aware that  
10 88 members of the legislature -- 88 members of the  
11 House, 88 out of the 150 have signed on in support of  
12 this resolution, which would essentially restrict these  
13 unfunded mandates to the local governments -- to units  
14 of local governments, like counties, for example?

15 REPRESENTATIVE MENENDEZ: Absolutely, I am  
16 aware of it. I have a list here of all 88 of them, and  
17 it's a bipartisan group.

18 REPRESENTATIVE GALLEGO: So, as an example,  
19 as you go through, Mr. Alised has signed onto the  
20 amendment to essentially prohibit unfunded mandates; is  
21 that correct?

22 REPRESENTATIVE MENENDEZ: That's correct.  
23 Yes.

24 REPRESENTATIVE GALLEGO: And I believe his  
25 county judge testified in the state affairs hearing that

1 you referred to?

2 REPRESENTATIVE MENENDEZ: Yes. Judge

3 (Inaudible) and other judges from Houston County, yes.

4 REPRESENTATIVE GALLEGO: Mr. Anchia has  
5 signed on to support the resolution prohibiting unfunded  
6 mandates?

7 REPRESENTATIVE MENENDEZ: Correct.

8 REPRESENTATIVE GALLEGO: As has Dr.  
9 Anderson, Doc Anderson, Rodney Anderson, Ms. Beck,  
10 Burman, Bohac, Bonnen, Brown, Burkett, Button, Cain,  
11 Carter, Chisum, Christian, Cook, Creighton, Crownover,  
12 John Davis, Driver, Elkins, Flynn, Frullo, Gallego,  
13 Garza, Geren, Hamilton, Hancock -- 88 members.

14 REPRESENTATIVE MENENDEZ: Yes, sir.

15 REPRESENTATIVE GALLEGO: So, if these 88  
16 members have signed on to support this restriction on  
17 unfunded mandates, is not your amendment a restriction  
18 on unfunded mandates also?

19 REPRESENTATIVE MENENDEZ: Absolutely, but my  
20 amendment is even easier. It really just says that your  
21 county commissioners court has the decision at which  
22 point to implement this would no longer be a financial  
23 burden on the county.

24 In essence, we're saying to our local  
25 taxpayers we respect your pocketbook. In my opinion,

1       this is going to cost some counties -- they are going to  
2       need to hire more people. It's going to cost the  
3       taxpayers more money to implement this bill, and if  
4       we're honest about no unfunded mandates, not shoving  
5       more costs down to the local taxpayers, then please  
6       support this amendment. It's a simple common sense  
7       amendment.

8                   REPRESENTATIVE GALLEGOS: The first principle  
9       that we talked about is no unfunded mandates; is that  
10      correct?

11                  REPRESENTATIVE MENENDEZ: That's correct.

12                  REPRESENTATIVE GALLEGOS: The second  
13      principle that you just annunciated is the principle of  
14      local control. Explain to me how your amendment  
15      essentially supports local government.

16                  REPRESENTATIVE MENENDEZ: What it does is  
17      specifically says that a commissioners court of the  
18      county that finds that the implementation of the photo  
19      ID requirement would be a financial burden on that  
20      county, they would have the right not to have this  
21      section apply to them. So, the counties can allow when  
22      they implement it.

23                  Now, here's the other thing, it's not in  
24      perpetuity. The county can decide we're not ready at  
25      the next election but they might be ready at the next

1       election after that. So, they might take an election  
2       off and then they say, "You know what, we've geared, we  
3       have the staffing, this will no longer be a financial  
4       burden on us."

5                    REPRESENTATIVE GALLEGO: That's where the  
6       local control comes?

7                    REPRESENTATIVE MENENDEZ: Exactly.

8                    REPRESENTATIVE GALLEGO: And so, they can  
9       opt out for this next election cycle until they have the  
10       opportunity to review the costs and make arrangements,  
11       budget those costs, factor those costs into the equation  
12       before making a decision?

13                  REPRESENTATIVE MENENDEZ: Correct. I mean,  
14       you know, Representative Gallego, we're not putting any  
15       money in this for the elections administration. We're  
16       not putting any money for the counties to handle the 6  
17       day period where people have to come back.

18                  REPRESENTATIVE GALLEGO: This is an unfunded  
19       mandate?

20                  REPRESENTATIVE MENENDEZ: In essence, it is  
21       an unfunded mandate.

22                  REPRESENTATIVE GALLEGO: 88 of us have  
23       signed on against unfunded mandates.

24                  REPRESENTATIVE MENENDEZ: There's correct.

25                  SPEAKER: Representative Sheffield raises a

1 point of order. The gentleman's time has expired. The  
2 point of order is well taken. It's sustained.

3 The Chair recognizes Representative Phillips  
4 to speak against.

5 REPRESENTATIVE PHILLIPS: Thank you Mr.  
6 Speaker, Members. I speak against this amendment.  
7 While we don't want unfunded mandates, I don't believe  
8 there is an unfunded mandate here. And what we want is  
9 confidence in elections, and what this would allow would  
10 be a county by the county opt out. Just read it.

11 If this particular county here decides that  
12 they don't want to do this provision or this county  
13 there decides they want to do that, then we don't have  
14 uniform laws on election. That's why we have uniform  
15 laws on election.

16 You know, it's interesting, the letter from  
17 the co-chairs of the commission on federal election  
18 reform, Jimmy Carter and James Baker said elections are  
19 the heart of Democracy, they're instruments for the  
20 people to choose leaders and hold them accountable. At  
21 the same time, elections are core public function, which  
22 all other government responsibility depends. If  
23 elections are defective, the entire Democratic system is  
24 at risk.

25 We do not want to put that at risk.

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1 REPRESENTATIVE HANCOCK: Mr. Speaker?

2 REPRESENTATIVE PHILLIPS: And I would move  
3 to table.

4 SPEAKER: Representative Hancock, for what  
5 purpose?

6 REPRESENTATIVE HANCOCK: Question.

7 REPRESENTATIVE PHILLIPS: I would.

8 REPRESENTATIVE HANCOCK: Mr. Phillips, are  
9 you aware that --

10 SPEAKER: The gentleman yields.

11 REPRESENTATIVE HANCOCK: -- (Inaudible)  
12 committee Secretary of State's office?

13 REPRESENTATIVE PHILLIPS: While I was not  
14 there, I have been told that the Secretary of State said  
15 there would be no additional cost to the county,  
16 something to that effect.

17 REPRESENTATIVE HANCOCK: That is correct.  
18 Thank you very much.

19 REPRESENTATIVE PHILLIPS: I would move to  
20 table again.

21 REPRESENTATIVE MENENDEZ: Mr. Speaker?  
22 Mr. Speaker?

23 SPEAKER: Representative Menendez, for what  
24 purpose?

25 REPRESENTATIVE MENENDEZ: I was wondering if

1 the gentleman would yield for a question?

2 REPRESENTATIVE PHILLIPS: Yeah, quickly.

3 It's a busy night.

4 REPRESENTATIVE MENENDEZ: Larry, I respect  
5 you tremendously. You and I are both co-authors of the  
6 no unfunded mandate constitutional amendment but you  
7 said that you didn't think it was an unfunded mandate.

8 The reason I brought this forward is there's  
9 an article in today's newspaper in my home town where  
10 the elections administrator said of course, it's going  
11 to cost more and the reason being, you're aware of the  
12 provision in the bill that state that they have 6 days  
13 to prove whether or not they have a photo ID or whether  
14 or not they have a religious objection to having their  
15 picture taken. Are you aware of that, the bill?

16 REPRESENTATIVE PHILLIPS: You're going to  
17 have to repeat that. If it's an amendment, then I don't  
18 know that that is -- that amendment -- that that is  
19 still there.

20 REPRESENTATIVE MENENDEZ: The bill -- I'll  
21 ask you a hypothetical.

22 REPRESENTATIVE PHILLIPS: That may have come  
23 out of the bill. So, I don't want to say it's still  
24 there. We've had so many amendments that we've gone  
25 through here.

1                   REPRESENTATIVE MENENDEZ: Well, I'm pretty  
2 sure it is because the amendment prior to this amendment  
3 was the amendment that would allow for the verification  
4 of signatures for provisional ballots and that was  
5 turned away.

6                   REPRESENTATIVE PHILLIPS: I think Harper  
7 Brown -- anyway, I believe it did but go ahead.

8                   REPRESENTATIVE MENENDEZ: All right. I'll  
9 get clarification but the reason -- the reason my  
10 county -- are you aware that the reason my county  
11 believes this is an unfunded mandate is they are going  
12 to have to keep their office open possibly on the  
13 weekend to allow for the people that do cast a  
14 provisional ballot to come in and proof that they have  
15 an ID or they have a religious objection.

16                  REPRESENTATIVE PHILLIPS: You know, I think  
17 that -- what's that? Yeah, I think it went -- I think  
18 it went out but, nonetheless, what we're talking about  
19 is confidence in elections, and that's why a majority of  
20 it Texans support this. Whether they're Republican or  
21 Democrat, whether they're minority or not, they support  
22 this under the polls done here in the state, and it  
23 continues because they want consistent -- consistency in  
24 elections is what they want, and we don't need to allow  
25 a patchwork across the state.

1                   And, again, the testimony said there would  
2 be no further cost from the Secretary of State. Again,  
3 that's my understanding. I wasn't there. And I  
4 appreciate you wanting to guard against unfunded  
5 mandates but I don't think this is the bill to do that,  
6 and I would respectfully move to table.

7                   REPRESENTATIVE MENENDEZ: Let me ask a  
8 question. Do you trust your county commissioners court?

9                   REPRESENTATIVE PHILLIPS: I trust my county  
10 commissioners?

11                  REPRESENTATIVE MENENDEZ: Yeah, do you trust  
12 them?

13                  REPRESENTATIVE PHILLIPS: I have a bunch of  
14 great county commissioners.

15                  REPRESENTATIVE MENENDEZ: Well, then you  
16 shouldn't have a problem because we're letting them  
17 decide if this is a burden.

18                  REPRESENTATIVE PHILLIPS: No. But you're  
19 going to allow a patch quilt is what you're going to  
20 have because you're going to have this county decide it  
21 and this county doesn't.

22                  I move to table, respectfully.

23                  SPEAKER: The Chair recognizes  
24 Representative Menendez.

25                  REPRESENTATIVE MENENDEZ: Thank you,

1       Mr. Speaker, Members. You know, I understand what the  
2       testimony was from the Secretary of State's office but,  
3       Members, the implementation of elections happen at the  
4       local level, at the county level, and if an elections  
5       administrator for one of our urban counties says of  
6       course it's going to cost more money, at a very minimum  
7       this first time we have no idea how many provisional  
8       ballots are going to be cast. I believe that each and  
9       every one of you in this room, you know and you trust  
10      your county commissioners and your judges.

11           It doesn't say that one commissioner, it  
12        doesn't say one judge. It says the commissioners court.  
13        A majority of the commissioners in your county would  
14        vote to say that this bill would be a financial burden.

15           I mean, if you think it's okay to create a  
16        financial burden on your county, then go ahead and vote  
17        on the motion to table but if you believe that we should  
18        not put more financial burdens on our local counties,  
19        then please vote against the motion to table.

20           This is not an RD amendment. This is not  
21        whether you're for voter ID or not. This is whether  
22        you're for your commissioners court to understand the  
23        financial situation of their budgets and how they're  
24        going to handle their elections.

25           I do think -- I know that we're having the

1       urban leagues -- urban counties look at this. I think  
2       if you check in with your commissioners, they would ask  
3       you for the support on stopping the sending of unfunded  
4       mandates.

5               If they can do it, if they're ready for it,  
6       they will vote to do it. So, you have to trust and you  
7       have to believe in what you say. If you're one of the  
8       88 members, I expect you to vote against the motion to  
9       table. Thank you.

10              SPEAKER: Representative Menendez sends up  
11       an amendment. Representative Phillips moves to table.  
12       Question occurs on the motion to table. Vote aye, vote  
13       no, Members. The clerk will ring the bell.

14              Show Mr. Phillips voting aye. Mr. Menendez  
15       voting no.

16              Have all members voted? Show Ms. Truitt  
17       voting aye. Have all members voted? Show Ms. Kolkhorst  
18       voting aye. Being 98 ayes, 48 nos, motion to table  
19       prevails.

20              I'm sorry.

21              Following the amendment, the clerk will read  
22       the amendment.

23              CLERK: Amendment by Anchia.

24              SPEAKER: Is Mr. Anchia on the floor of the  
25       House?

1                   The Chair recognizes the fast moving member  
2 from Dallas, Representative Anchia.

3                   REPRESENTATIVE ANCHIA: Thank you, Mr.  
4 Speaker and Members. I'm trying to -- I'm just trying  
5 to fix your bill.

6                   Okay. Okay. Thank you, Mr. Speaker and  
7 Members. This amendment clarifies that free IDs were  
8 given to individuals who register to vote when they  
9 apply for a duplicate ID. And hear me out because  
10 currently in Section 20 of the bill, there's a mistake.  
11 The bill only provides for free IDs for new or  
12 renewals -- or renewal IDs, it's only for new or  
13 renewals but does not provide for free IDs for  
14 duplicates.

15                  This bill doesn't touch the section --  
16 Section 521 spot 424 of the Transportation Code that  
17 deals with the IDs that people are given when they need  
18 to do an address change or a name change. They're  
19 called duplicate IDs. They are neither new IDs or  
20 renewed IDs. They're called duplicate IDs.

21                  And the author failed to include that in the  
22 free IDs that we're going to need to give to people if  
23 they're going to be using those IDs in order to vote.  
24 So, this is not a new ID. This is not a renewal. It's  
25 a duplicate. And those duplicates are given to people

1 who need to change their address or their name.

2 Some of the most noble groups are minorities  
3 or low income people. They move a lot. They get  
4 renewal IDs if they don't drive because they're changing  
5 their address. And if the intention of this bill is to  
6 provide free IDs and not disenfranchise groups, this  
7 amendment should be acceptable to the author.

8 SPEAKER: Mr. Phillips, do you want to speak  
9 again?

10 REPRESENTATIVE PHILLIPS: Yeah. We would  
11 move to table. He's talking about when you -- when you  
12 lose an ID, you go get a new one, it allows for a new  
13 one in there. And I would move to table.

14 SPEAKER: Mr. Anchia to close.

15 REPRESENTATIVE ANCHIA: The amendment is  
16 temporarily withdrawn.

17 SPEAKER: Following the amendment, the clerk  
18 will read the amendment.

19 CLERK: Amendment by Walle.

20 SPEAKER: The Chair recognizes Mr. Walle.

21 REPRESENTATIVE WALLE: Thank you, Members.  
22 This amendment would allow county commissioners court to  
23 authorize county election clerks to include a photo -- a  
24 photo on a voter registration card or to create a voter  
25 ID card. This amendment is about respecting local

1 control. This is a common sense solution that places  
2 control of the election process directly in the hands of  
3 our counties.

4 We trust that the counties -- we trust the  
5 counties to carry out the election process, so, we  
6 should trust them to make the appropriate decision about  
7 whether they would like to include a photo on a voter  
8 registration certificate or create a new voter ID card  
9 with a photo on it.

10 If this debate is really about voters  
11 presenting a photo document along with their voter  
12 registration card, then I think this amendment offers a  
13 simple and straightforward solution.

14 I'm finished.

15 SPEAKER: Mr. Phillips will speak against  
16 the amendment.

17 REPRESENTATIVE PHILLIPS: Thank you, Mr.  
18 Speaker, Members. Again, what we want is uniformity.  
19 This would allow that each county would provide their  
20 own ID. It would shift responsibility to the county.  
21 Again, we don't have uniformity, and I would  
22 respectfully move to table.

23 SPEAKER: The Chair recognizes  
24 Representative Walle to close.

25 REPRESENTATIVE WALLE: Thank you, Mr.

1 Speaker. Again, this is about respecting local control  
2 and just adding a simple photo on your voter  
3 registration card would actually take care of a lot of  
4 this stuff, and I move to accept this amendment.

5 SPEAKER: Representative Walle sends up the  
6 amendment. Representative Phillips moves to table.  
7 Questions on the motion to table, Members. The clerk  
8 will ring the bell. Vote aye or vote nay. Show  
9 Mr. Phillips voting aye. Mr. Walle voting nay.  
10 Mr. Dutton voting no. Show Mr. Martinez voting nay.

11 Have all members voted? Have all members  
12 voted? There being 95 ayes, 52 nays, motion to table  
13 prevails.

14 Mr. Rodriguez or Mr. Veasey on the floor?

15 CLERK: Amendment by Rodriguez.

16 SPEAKER: The Chair recognizes  
17 Mr. Rodriguez.

18 REPRESENTATIVE RODRIGUEZ: Thank you,  
19 Mr. Speaker and Members. This amendment permits same  
20 day registration at polling places. There's been a lot  
21 of talk today about how this bill in a way completely  
22 makes the need for voter registration redundant. I'm  
23 not saying that we should get rid of our voter  
24 registration process but it seems to me and it seems  
25 from the discussion today that this bill is about photo

1 identification.

2 My amendment would still require photo ID.  
3 It would simply allow voters to register to vote on the  
4 same day provided they can provide an acceptable form of  
5 photo. An acceptable form of photo ID is exactly what's  
6 in this bill now, driver's license, Texas ID, passport,  
7 et cetera.

8 According to the George Mason University  
9 U.S. elections project, Texas ranked 50th, worst in  
10 voter turnout in the last election.

11 I believe my amendment would help to curtail  
12 this voter turnout problem. Currently there are 12  
13 states that have a form of election day registration,  
14 including Idaho, Iowa, Maine, Minnesota, Wyoming, North  
15 Dakota and others.

16 Allowing for election day registration has  
17 drastically improved voter turnout in these states. As  
18 an example, in Minnesota, 15.6 percent of voters have  
19 increased since that -- since the same day registration.  
20 In Wisconsin, about 10 percent.

21 Members, this is about voter participation.  
22 This does not do away with the voter ID process. It's a  
23 compliment to that. If you have the requisite photo ID  
24 that's in this bill, then you can register right then  
25 and there that day at the polling place.

1                   Move for adoption.

2                   SPEAKER: Mr. Phillips will speak against  
3 the motion.

4                   REPRESENTATIVE PHILLIPS: Thank you,  
5 Mr. Chairman -- I mean, Mr. Speaker, Members. I would  
6 respectfully move to table this bill -- I mean, this  
7 amendment. This bill is a voter ID bill. It's not  
8 about a same day registration. That debate can be had  
9 in elections committee and go through that process.  
10 This bill is about voter ID.

11                  You know, it's amazing, Georgia, which has  
12 one of the toughest voter ID as they say or photo ID had  
13 the largest voter turnout in the 2008 November election  
14 in history after they had passed that.

15                  In Indiana, the turnout for the Democratic  
16 voters was the largest increase in Democratic turnout of  
17 any state in the country.

18                  Voter ID brings confidence. This bill is  
19 about voter ID. It's not about same day registration.  
20 This will drive more people to come to vote. I move to  
21 table.

22                  SPEAKER: Mr. Veasey, for what purpose?

23                  REPRESENTATIVE VEASEY: Mr. Phillips, will  
24 the chairman yield, please?

25                  SPEAKER: Mr. Phillips, will you yield?

1                   REPRESENTATIVE PHILLIPS: Briefly. I'll  
2 ask -- answer a few questions but we've got a lot of  
3 amendments to go through.

4                   REPRESENTATIVE VEASEY: I hope, due to the  
5 importance of this bill, you would answer as many  
6 questions as I would need you to but I only have a few.

7                   REPRESENTATIVE PHILLIPS: If they're  
8 specific to the bill, that would be great.

9                   REPRESENTATIVE VEASEY: I only have a few.  
10 Actually, mine are specific to the amendment. And I was  
11 looking and I was trying to find out who does same day  
12 registration, and I found out that Idaho, Minnesota, New  
13 Hampshire, North Dakota, Wisconsin and Wyoming all offer  
14 same day voter registration.

15                  Now, why aren't the red states of Idaho and  
16 North Dakota and Wyoming moving to get rid of their same  
17 day registration?

18                  REPRESENTATIVE PHILLIPS: Mr. Veasey, that  
19 really isn't relevant to this bill.

20                  REPRESENTATIVE VEASEY: No, it is but you're  
21 saying --

22                  REPRESENTATIVE PHILLIPS: This is a voter ID  
23 bill, not a same day registration bill. This a voter ID  
24 bill.

25                  REPRESENTATIVE VEASEY: Right.

1                   REPRESENTATIVE PHILLIPS: Not a same day  
2 registration bill.

3                   REPRESENTATIVE VEASEY: But part of the  
4 reason why these states made voter registration easy was  
5 because they were trying to increase voter turnout. It  
6 was part of the whole effort back in the mid '90s, the  
7 whole motor voter deal to increase participation by our  
8 electorate. So, with that in mind --

9                   REPRESENTATIVE PHILLIPS: We had that spread  
10 across the nation. So, again, this is a voter ID bill.  
11 It's not about same day registration.

12                   REPRESENTATIVE VEASEY: Representative  
13 Harless has said repeatedly that this bill is about  
14 increasing voter registration due to integrity at the  
15 polls.

16                   REPRESENTATIVE PHILLIPS: Not increasing --  
17 it's about increasing voter confidence, which will turn  
18 out more voters.

19                   REPRESENTATIVE VEASEY: Right. And that's  
20 what same day registration is about, turning out more  
21 voters. You keep saying (Inaudible) is relevant and you  
22 won't answer questions about same day voter  
23 registration.

24                   REPRESENTATIVE PHILLIPS: I told you that is  
25 not relevant to this bill. This bill is a voter ID

1 bill.

2 REPRESENTATIVE VEASEY: You've said that --

3 REPRESENTATIVE PHILLIPS: This is not voter  
4 turnout, same day registration. This is a voter ID  
5 bill. I would move to table.

6 REPRESENTATIVE VEASEY: The gentlelady has  
7 already said that this bill is about increasing  
8 confidence at the poll so more people will come out and  
9 vote.

10 REPRESENTATIVE PHILLIPS: That is not --

11 REPRESENTATIVE VEASEY: And you won't answer  
12 the question.

13 REPRESENTATIVE PHILLIPS: I've answered your  
14 question, Mr. Veasey. I've answered it. That is not  
15 relevant to this bill.

16 REPRESENTATIVE VEASEY: Why will you not  
17 accept the amendment?

18 REPRESENTATIVE PHILLIPS: I told you this is  
19 a voter ID bill. It's not a voter registration bill.  
20 Put it through the committee process and get it debated  
21 and go through the floor and if it gets here, we can  
22 debate that. This is a voter ID bill. It's not about  
23 trying to put everything --

24 REPRESENTATIVE VEASEY: This is not a voter  
25 registration -- so, you don't intend to accept any

1 amendments of voter registration related to this bill?

2 REPRESENTATIVE PHILLIPS: I intend to keep  
3 the bill related to voter ID.

4 REPRESENTATIVE VEASEY: Thank you.

5 SPEAKER: Mr. Rodriguez to close.

6 REPRESENTATIVE RODRIGUEZ: Thank you. Thank  
7 you, Mr. Speaker, Members. This is a voter ID bill or  
8 whatever it's supposed to really be but for many of us  
9 the concern is that it's not just about voter ID. It  
10 has consequences, whether it's intended consequences or  
11 unintended consequences, and there's many of us here in  
12 this chamber that believe this will have a negative  
13 consequence on voter turnout.

14 If the State of Texas is last in the country  
15 when it comes to voter turnout, the last thing I think  
16 you want to do is pass this bill and have a consequence  
17 of actually reducing voter turnout.

18 It has been shown in various states, 12  
19 states to be exact, as Mr. Veasey pointed out as well,  
20 where the turnout dramatically increases where you have  
21 same day voter registration.

22 I'm not saying that we don't have to have --  
23 that one wouldn't have to have photo identification.  
24 I'm not taking that away at all but if you have the  
25 same -- the photo requirements that this bill calls for,

1 this is, again, about voter ID, about picture ID, voter  
2 ID, you can register to vote.

3 If you want to do something about voter  
4 impersonation and all that kind of stuff, that's one  
5 thing but we also, in doing that, don't want to reduce  
6 the possibility of people being able to vote. It's that  
7 simple.

8 I think this amendment will minimize any  
9 kind of disenfranchisement, will minimize the ability  
10 for people to not be able to vote. Members, I encourage  
11 your support on this amendment.

12 SPEAKER: Representative Veasey, for what  
13 purpose?

14 REPRESENTATIVE VEASEY: Will the gentleman  
15 yield?

16 REPRESENTATIVE RODRIGUEZ: I will.

17 REPRESENTATIVE VEASEY: Mr. Rodriguez, the  
18 gentlelady from Houston has said repeatedly that by  
19 passing the voter ID bill that she's trying to pass now,  
20 this voter suppression bill that's on the floor, that it  
21 will actually increase voter turnout. Isn't that what  
22 she has said in her words? Because it will increase  
23 confidence, so --

24 REPRESENTATIVE RODRIGUEZ: That has been the  
25 claim.

1                   REPRESENTATIVE VEASEY: So, why would  
2 Representative Phillips, in your opinion, not want to  
3 accept my -- not want to accept your amendment and not  
4 answer any questions related to this particular  
5 amendment that you have?

6                   REPRESENTATIVE RODRIGUEZ: I can't speak for  
7 Chairman Phillips. I can't really speak for him but I  
8 think it's very clear that what this amendment would do  
9 is, in fact, increase voter turnout and it would still  
10 kind of stay true to the suggested intent anyway of  
11 having photo identification to make sure the people who  
12 are voting are actually who they say they are.

13                  So, I'm not taking anything away from that.  
14 What I'm doing in addition to that, I'm adding to that,  
15 in fact, and making it so that we are actually going to  
16 try to promote voting, I think.

17                  REPRESENTATIVE VEASEY: Were you aware that  
18 the states that have same day voter registration are  
19 Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin  
20 and Wyoming?

21                  REPRESENTATIVE RODRIGUEZ: Yeah, I am aware  
22 of that.

23                  REPRESENTATIVE VEASEY: Are you aware that  
24 with the exception of Minnesota in the twin cities area  
25 and Wisconsin in the Milwaukee area that those other

1 states have very low diversity in their state? Were you  
2 familiar -- did you know that?

3 REPRESENTATIVE RODRIGUEZ: I did not know  
4 that.

5 REPRESENTATIVE VEASEY: That Idaho doesn't  
6 have a lot of diversity in their state?

7 REPRESENTATIVE RODRIGUEZ: I didn't know  
8 that.

9 REPRESENTATIVE VEASEY: North Dakota doesn't  
10 have a lot of diversity in their state and neither does  
11 Wyoming?

12 REPRESENTATIVE RODRIGUEZ: No, I didn't know  
13 that.

14 REPRESENTATIVE VEASEY: Did you know that  
15 those are all red states?

16 REPRESENTATIVE RODRIGUEZ: I'm not surprised  
17 by that.

18 REPRESENTATIVE VEASEY: That Idaho and North  
19 Dakota and Wyoming are all red states with very little  
20 diversity, were you aware of that?

21 REPRESENTATIVE RODRIGUEZ: I'm becoming more  
22 aware of that, yes.

23 REPRESENTATIVE VEASEY: So, is it -- and  
24 when I say red states, because, you know, we probably  
25 shouldn't speak in slang on the House floor, so, let me

1 rephrase that and say Republican states.

2 REPRESENTATIVE RODRIGUEZ: Sure.

3 REPRESENTATIVE VEASEY: Those are states  
4 that tend to overwhelmingly vote Republican -- for  
5 Republican, and the state legislatures there are not  
6 pushing for a voter ID bill. Why would the state  
7 legislatures in Idaho and North Dakota and Wyoming, the  
8 very homogenous states with not a lot of diversity, why  
9 would they not be pushing for a voter ID bill?

10 REPRESENTATIVE RODRIGUEZ: I can only guess,  
11 and I'm going to have to guess that they don't see it as  
12 a problem there.

13 REPRESENTATIVE VEASEY: Right.

14 REPRESENTATIVE RODRIGUEZ: Just as, in fact,  
15 it's not a problem here.

16 REPRESENTATIVE VEASEY: Do you think that  
17 perhaps they don't see it as a problem because they  
18 don't have diversity because the one issue that we heard  
19 when this bill was being laid out was that there are  
20 people in these areas and those people in these  
21 particular communities are committing voter fraud and  
22 that they are cheating and all this voter impersonation  
23 is going on but they don't seem to be worried about it  
24 in these states, maybe it's because we're trying to pass  
25 that bill here because the people are -- seem to have

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1 these stereotypes about certain people voting in the  
2 State of Texas but in Idaho, they would just prefer to  
3 let people vote as freely as possible, including the  
4 Republicans there because the state is just a little bit  
5 more homogenous than the State of Texas?

6 REPRESENTATIVE RODRIGUEZ: Representative  
7 Veasey, I think it's evidence that there is much greater  
8 diversity in the State of Texas, obviously, than you  
9 have in these other places and --

10 SPEAKER: Representative Sheffield raises a  
11 point of order. The gentleman's time has expired. The  
12 point of order is well taken and sustained.

13 REPRESENTATIVE RAYMOND: Mr. Speaker, I move  
14 adoption.

15 SPEAKER: Representative Rodriguez sends up  
16 an amendment. Mr. Phillips moves to table. Questions  
17 on the motion to table, Members. Vote aye, vote no.  
18 The clerk will ring the bell. Show Mr. Phillips voting  
19 aye. Mr. Rodriguez voting no. Ms. Truitt voting aye.  
20 Ms. Truitt voting aye.

21 Have all members voted? All members voted?  
22 There being 96 ayes, 50 nays, the amendment -- motion to  
23 table prevails.

24 Following the amendment, the clerk will read  
25 the amendment.

1 CLERK: Amendment by Gallego.

2 SPEAKER: The Chair recognizes  
3 Representative Gallego.

4 REPRESENTATIVE GALLEGZO: Thank you, Mr.  
5 Speaker and Members. This problem is unique to some of  
6 the members of the House who represent more rural areas.  
7 As we talk about voter ID and we talk about the  
8 opportunity to just go down to the driver's license  
9 office and get a driver's license, what we haven't taken  
10 into consideration in this debate is that there are  
11 entire counties out there that don't have a DPS driver's  
12 license office.

13 In fact, in the district that I represent,  
14 there are four counties that don't have a driver's  
15 license office located in them. Many counties have only  
16 partial service from a DPS office.

17 The counties that I represent, for example,  
18 many of them will have a driver's license office that is  
19 open one day a week, and if the employee -- because  
20 there's only one employee signed to these offices -- if  
21 the employee is sick, then there is no office that week  
22 and there is no opportunity to get a driver's license or  
23 renew your driver's license or get an ID that week.

24 Many counties have partial service. In  
25 these rural counties, for example, if you live in Van

1       Horn, Texas which is the county seat of Culberson  
2       County, and you need to get an ID because you don't have  
3       one, that driver's license office is located in Alpine,  
4       Texas, the county seat of Brewster County. A one-way  
5       trip -- a one-way trip to go get an ID is a hundred  
6       miles.

7               From Sierra Blanca to El Paso is 88 miles  
8       one way. Rock Springs to Del Rio is 76 miles one way.  
9       Sanderson to Fort Stockton is 65 miles one way. And  
10      that's from county seat to neighboring county seat. We  
11      haven't even talked about what happens if you live in  
12      one of the outlying communities in the county like  
13      "Delingua" or "La Quintas" or Redford or Pine Springs or  
14      Del City in Culberson County.

15              In the district that I represent, there are  
16      28,841 people, according to the census, who live in  
17      counties with only partial DPS driver's license  
18      services, and there are about 7,000 people who live in  
19      counties that don't get any driver's license service at  
20      all.

21              Ms. Harless will tell you that there are  
22      plans to open and expand DPS services in all of these  
23      counties but you and I all know that with the sake of  
24      our budget, we're not going to be expanding state  
25      services any time in the future, which means that for

1 the foreseeable future, these folks won't have a  
2 driver's license office.

3 So, what happens if you're elderly? What  
4 happens if you don't have a good car so you can't make  
5 the 120-mile round trip from Presidio to Martha?

6 Understand that for folks who live in these  
7 communities, travel can be a hardship. The nearest  
8 Wal-Mart from Presidio is mas o menos about 150 miles  
9 away.

10 The nearest airport from Alpine is about 2  
11 and a half to 3 hours away. That's the kind of  
12 isolation that you see.

13 So that you understand, in the district that  
14 I represent, that district is nearly 500 miles from one  
15 side of the district to the other. And what we are  
16 asking, this driving these long distances, that creates  
17 some significant hardships for folks. And that hardship  
18 makes people want to give up and, unfortunately, if they  
19 give up, they give up something that's pretty  
20 fundamental, and that's the right to vote.

21 So, what this amendment would do is very  
22 simple. The amendment would say that this act doesn't  
23 apply to those counties in which DPS doesn't have a full  
24 service driver's license.

25 And the truth is this applies to very few

1       counties out there and it applies to very few people out  
2       there.

3               And the reason -- frankly, we've talked  
4       about the fact that DPS doesn't serve them in the  
5       hardship but we haven't talked about two other common  
6       sense things.

7               If this is about fraud, as an example, then  
8       I will tell you that in those communities -- in Loving  
9       County, for example, we all know each other. In  
10      Presidio, we all know each other. Most of Highway 90,  
11      as Chairman Hilderbran indicates, in those communities,  
12      families have been there for generations. And at this  
13      point, many of us are related, and we all know each  
14      other.

15               And to have this requirement that if you  
16       lose your license, if you don't have a photo ID, if you  
17       have to renew your photo ID and you miss the day and you  
18       have to drive and drive and drive, that doesn't make  
19       very practical sense.

20               So, because this right is so fundamental,  
21       because this is an extreme hardship on a limited number  
22       of people and because the amendment only impacts a  
23       limited number of people and, frankly, because in those  
24       counties that are impacted, the people are so few and so  
25       familiar with each other that there isn't really any

1 allegations of the kind that we're talking about with  
2 respect to voter fraud, I would ask that you adopt this  
3 amendment that applies only to these counties that don't  
4 have a full service driver's license office.

5 SPEAKER: Mr. Hochberg, for what purpose?

6 REPRESENTATIVE HOCHBERG: Will the gentleman  
7 yield, please?

8 SPEAKER: Will the gentleman yield?

9 REPRESENTATIVE GALLEGOS: Absolutely, Mr.  
10 Hochberg.

11 REPRESENTATIVE HOCHBERG: Thank you, Mr.  
12 Speaker. Thank you, Mr. Gallego.

13 I've visited your district and you've  
14 visited mine, and what a lot of folks --

15 REPRESENTATIVE GALLEGOS: I was always  
16 amazed, Mr. Hochberg, that you have apartment complexes  
17 that are bigger than entire cities that I represent.

18 REPRESENTATIVE HOCHBERG: That's true. And  
19 I think what people don't know is that you have the most  
20 sparsely populated district, and I have the least -- or  
21 you have the least -- you have the most sparsely and I  
22 have the most intensely --

23 REPRESENTATIVE GALLEGOS: You know,  
24 Mr. Hochberg, believe it or not, the district that I  
25 represent is about 15 percent of the land area of Texas

1 and, as a result of the census data and redistricting,  
2 that district will grow to probably about 20 percent of  
3 Texas. So, it's huge. It is, as you indicated, very  
4 sparsely populated, and it is a hardship because these  
5 distances are very, very, very, very long.

6 REPRESENTATIVE HOCHBERG: And so, are you  
7 telling me --

8 REPRESENTATIVE GALLEGO: Mr. Hochberg,  
9 Chairman (Inaudible) wants me to tell you that he  
10 doesn't think you have any Dairy Queens in your district  
11 either.

12 REPRESENTATIVE HOCHBERG: No, I don't have  
13 any current Dairy Queens. We do have -- I've got a  
14 Sonic, though. I do have a Sonic. So, that's close.  
15 And we have no -- actually, Mr. Keffer, we have -- we  
16 don't have a Dairy Queen but we do have a Shawarma King  
17 in my district. So, you can come to Shawarma King any  
18 time you'd like.

19 But, Mr. Gallego, it sounds to me that  
20 you're telling me that without your amendment that folks  
21 in your district are going to be less likely to vote  
22 than they might be in my district; is that true?

23 REPRESENTATIVE GALLEGO: That's absolutely  
24 true. You know, the truth -- in terms of the  
25 demographics of the district that I represent --

1                   SPEAKER: Representative Sheffield raises a  
2 point of order. The gentleman's time expired. The  
3 point of order is well taken. It's sustained.

4                   The Chair recognizes Representative Harless  
5 in opposition.

6                   REPRESENTATIVE HARLESS: Mr. Speaker,  
7 Members, as much as I would love to take an amendment  
8 from my fellow colleague in -- that I really love and  
9 respect, this would create an inconsistent application  
10 across the counties.

11                  We have extensive testimony in both the  
12 Senate and the House that talks about the -- the very,  
13 very, very small population that this might affect, and  
14 they don't have those exact numbers but it would be  
15 inconsistent across the county.

16                  Also, the elderly, as he stated, would have  
17 the opportunity to also continue to file a ballot by  
18 mail. So, I would ask that you respectfully table this  
19 amendment.

20                  SPEAKER: The Chair recognizes  
21 Representative Gallego to close.

22                  REPRESENTATIVE GALLEGOS: Thank you,  
23 Mr. Speaker, Members. If you look at the demographics  
24 of these counties, young folks are moving away and the  
25 population of many of these rural counties is getting

1 older and older and older.

2 And so, it isn't as easy as just renewing a  
3 driver's license over the Internet. It isn't as easy as  
4 just driving down to the local DPS office.

5 Again, for folks who are retired, for folks  
6 who don't have a good car, for folks who are elderly,  
7 this is a huge issue.

8 In communities like Redford, in communities  
9 like Presidio, in communities like Pine Springs or even  
10 Sanderson -- and that's exactly right, Chairman  
11 Hilderbran, there's not that many people out there but  
12 this impacts them.

13 And so, this amendment, again, impacts a  
14 very limited universe of people, and because it impacts  
15 such a limited universe and because voting is such a  
16 fundamental right and because, as I've indicated, we all  
17 know each other, we all know who we are when we show  
18 up -- Loving County, for example, has only a little over  
19 80 residents in the entire county. They all know each  
20 other.

21 Other counties and other communities have  
22 that in common with Loving. They're bigger but families  
23 have been there for generations. They have very deep  
24 roots. In many cases, they have intermarried, and so,  
25 there are longstanding relationships.

1                   And so, the challenges that happen in a  
2 Houston or a San Antonio or a Dallas or an Austin, they  
3 don't happen in, for example, a Valentine, Texas with a  
4 population of about 200. They don't happen in a Del  
5 City, Texas with a population of several hundred. They  
6 don't happen in a Sanderson or a "Delingua" or a "La  
7 Quintas" or a Redford or a Presidio.

8                   I would ask members for some consideration  
9 for those counties that don't have a DPS office and  
10 they're not going to get a DPS office because we are not  
11 expanding services.

12                   I would ask for some consideration for those  
13 elderly folks who don't have the opportunity to go down  
14 the street because this is a significant right that  
15 we're altering for them. It really is a huge, huge,  
16 huge, huge issue of access.

17                   So, Ms. Harless has moved to table the  
18 amendment. I ask you to vote no on the motion to table.

19                   And, Mr. Hochberg, I am happy to yield.

20                   SPEAKER: Mr. Hochberg, for what purpose?

21                   REPRESENTATIVE HOCHBERG: Will the gentleman  
22 yield, please?

23                   SPEAKER: Will the gentleman yield?

24                   He did. The gentleman yields.

25                   REPRESENTATIVE HOCHBERG: Thank you.

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1                   Mr. Gallego, I started to ask you before  
2 when we ran out of time if, in your opinion, this means  
3 that folks in your rural community are going to be less  
4 likely to vote than folks in my urban community, and I  
5 think you started to answer yes.

6                   REPRESENTATIVE GALLEGOS: Absolutely. I  
7 think that is true. I think it's much more difficult to  
8 get a photo ID the way that this bill is drafted, and  
9 so, what happens is people will end up staying home.

10                  And I think a vote of someone who lives in a  
11 rural area should be just as fundamental and just as  
12 important as someone who lives in an urban area.

13                  And so, that's why I ask for some  
14 consideration for these folks who are elderly, despite  
15 the demographics, as the rural areas get older and  
16 those -- there are not that many of us who are rural  
17 left but we know that our population is getting older,  
18 and so, this seeks to have some reasonable accommodation  
19 for those rural areas.

20                  And I see Mr. Chisum behind you, and Mr.  
21 Chisum can tell you that he represents some counties,  
22 too, that don't have driver's license offices, and the  
23 person from DPS visits maybe once a week, and if they're  
24 sick, then nobody visits, and so, they will go an entire  
25 month or so sometimes without having a visit from a --

1 from a driver's license person.

2 REPRESENTATIVE HOCHBERG: I'm going to have  
3 to think about whether or not to vote with you on this  
4 one because I would certainly like to increase any  
5 advantages that the urban areas have in terms of  
6 producing voters for statewide elections.

7 So, if you say your amendment is necessary  
8 to help maintain rural voter turnout, I'll have to think  
9 about your amendment for a while.

10 REPRESENTATIVE GALLEGOS: Well, the truth is  
11 that there's not enough people left in the rural area to  
12 offset, which is why, for example, I have to represent  
13 15 percent of the state by land and you have to  
14 represent -- how many square miles of Houston?

15 REPRESENTATIVE HOCHBERG: I have -- I have  
16 14 square miles. I have 10,000 people per square mile.

17 REPRESENTATIVE GALLEGOS: 14,000 square --  
18 how many square miles again?

19 REPRESENTATIVE HOCHBERG: 14.

20 REPRESENTATIVE GALLEGOS: 14 square miles and  
21 I --

22 REPRESENTATIVE HOCHBERG: 10,000 people her  
23 square mile.

24 REPRESENTATIVE GALLEGOS: -- represent about  
25 38,000 square miles. 14 square miles versus 38,000

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1 square miles. And that to me is the essence -- we  
2 drafted a one size fits all approach in this bill in  
3 this legislation, and one size doesn't fit all.

4 And so, that's the challenge and that's the  
5 reasonable -- I think very reasonable accommodation that  
6 I seek for those folks who live in rural areas that  
7 don't have access to that driver's license office on a  
8 regular basis.

9 REPRESENTATIVE HOCHBERG: Thank you. I do  
10 think you have a good amendment.

11 REPRESENTATIVE GALLEGO: I appreciate that,  
12 Mr. Hochberg.

13 And I would ask, Members, that you all --  
14 that you vote no on the motion to table.

15 And I appreciate the opportunity -- thank  
16 you, Ms. Harless, for the opportunity to have a  
17 conversation about the amendment.

18 SPEAKER: Representative Gallego sends up an  
19 amendment. Representative Harless moves to table. The  
20 vote is on the motion to table. Vote aye, vote no.  
21 Show Mr. Gallego voting no. Show Representative Harless  
22 voting aye.

23 Have all voted? Have all voted? Being 100  
24 ayes and 49 nays, the motion to table prevails.

25 Following the amendment, the clerk will read

1 the amendment.

2 CLERK: Amendment by Anchia.

3 SPEAKER: The Chair recognizes  
4 Representative Anchia.

5 REPRESENTATIVE ANCHIA: Thank you,  
6 Mr. Speaker and Members. Representative Harless and I  
7 had a chance to visit when I temporarily pulled this  
8 down, and I believe there's going to be some back mic  
9 questions. So, I yield.

10 SPEAKER: Representative Harless, for what  
11 purpose?

12 REPRESENTATIVE HARLESS: Will the -- will  
13 the member yield?

14 REPRESENTATIVE ANCHIA: I do.

15 REPRESENTATIVE HARLESS: Representative  
16 Anchia, we discussed that this amendment is actually for  
17 the ID card for voting, correct?

18 REPRESENTATIVE ANCHIA: That is correct.

19 REPRESENTATIVE HARLESS: And that ID is  
20 issued by the DPS free of charge?

21 REPRESENTATIVE ANCHIA: That is correct.

22 REPRESENTATIVE HARLESS: And what your  
23 amendment does -- says that if for whatever reason they  
24 need to get a replacement or a duplicate ID because they  
25 moved and changed their address or they lost it, it

1 would continue to be free?

2 REPRESENTATIVE ANCHIA: That is -- that is  
3 correct. That is absolutely correct. And the term of  
4 art is a duplicate ID, and that picks up people, for  
5 example, who move or who change their name, typically  
6 because of marriage or divorce.

7 That category of state ID for purposes of  
8 voting is called a duplicate. It's neither a new or  
9 renewal.

10 REPRESENTATIVE HARLESS: So, we had a  
11 conversation with DPS.

12 REPRESENTATIVE ANCHIA: Yes.

13 REPRESENTATIVE HARLESS: And they are going  
14 to give us a formal ruling on this. So, I accept this  
15 amendment and if we need to have more conversation about  
16 it, we can.

17 REPRESENTATIVE ANCHIA: Thank you for taking  
18 the amendment.

19 SPEAKER: Mr. Anchia sends up an amendment.  
20 The amendment is acceptable to the author. Is there  
21 objection?

22 The Chair hears none. The amendment is  
23 adopted.

24 Following the amendment, the clerk will read  
25 the amendment.

1 CLERK: Amendment by Martinez.

2 SPEAKER: The Chair recognizes  
3 Representative Martinez.

4 REPRESENTATIVE MARTINEZ: Thank you,  
5 Mr. Speaker, Members. This amendment requires that  
6 employees at the Department of Public Safety inform  
7 anybody applying for a state identification card that  
8 the state ID is free of charge if they intend to use it  
9 for voting purposes.

10 So, pretty much all you're going to be doing  
11 is when an individual goes in and they're going to apply  
12 for a voter ID card or for an ID card or their driver's  
13 license, people at DPS will be telling them that if it  
14 is used for voting purposes, there is no charge for the  
15 ID and it is free of charge.

16 So, DPS employees already ask the applicants  
17 if they wish to register to vote and a link is provided  
18 for those who renew on line.

19 So, this amendment would fit neatly into the  
20 system already in place for educating citizens about  
21 voting. And as a DPS employee is interacting with a  
22 customer, they should make sure that the person has the  
23 opportunity to receive a free ID if they need it to  
24 satisfy the requirements of a photo ID voting law.

25 SPEAKER: The Chair recognizes

1 Representative Harless in opposition.

2 REPRESENTATIVE HARLESS: Members,  
3 Mr. Speaker, this amendment actually provides for free  
4 ID cards for those who need it but this amendment will  
5 create an opportunity for people to get a free driver's  
6 license if they say they're going to use it to vote, and  
7 I have to oppose the amendment.

8 SPEAKER: The Chair recognizes  
9 Representative Martinez to close.

10 REPRESENTATIVE MARTINEZ: Okay. Members,  
11 once again we're saying that a photo ID is free if  
12 you're going to use it for voting but yet DPS can inform  
13 you that if you're using it for voting that it's free.  
14 So, if we're not going to be honest with the public when  
15 they go in to renew their driver's license or get a  
16 photo ID card, then what's the purpose of even having  
17 this bill?

18 What we need to do is make sure that we  
19 educate the public so that when they go in to renew  
20 their ID or they go in to renew their driver's license  
21 that they can get an ID for free if it's being used for  
22 voting purposes.

23 No reason to mislead the public. We should  
24 tell them. We should be honest and transparent. And I  
25 ask you to vote no on the motion to table.

1 SPEAKER: Mr. Martinez sends up an  
2 amendment. Representative Harless moves to table. This  
3 is on the motion to table. Vote aye, vote nay. Show  
4 Representative Harless voting aye. Show Representative  
5 Martinez voting no.

6 Have all voted? Have all voted? Being 100  
7 ayes, 45 nays, the motion to table prevails.

8 Following the amendment, the clerk will read  
9 the amendment.

10 CLERK: Amendment by Alonzo.

11 SPEAKER: Is Mr. Alonzo on the floor of the  
12 House?

13 The amendment is temporarily withdrawn.

14 Is Mr. Dutton on the floor of the House?

15 Is Mr. Bohac on the floor of the House?

16 Following the amendment, the clerk will read  
17 the amendment.

18 CLERK: Amendment by Bohac.

19 SPEAKER: The Chair recognizes  
20 Representative Bohac.

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1 STATE OF TEXAS \*

2 COUNTY OF HARRIS \*

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4 I, the undersigned certified shorthand reporter  
5 and notary public in and for the State of Texas, certify  
6 that the facts stated in the foregoing pages are true  
7 and correct.

8

9 I further certify that I am neither attorney or  
10 counsel for, nor related to or employed by, any of the  
11 parties to the action in which this matter is taken and,  
12 further, that I am not a relative or employee of any  
13 counsel employed by the parties hereto, or financially  
14 interested in the action.

15

16 SUBSCRIBED AND SWORN TO under my hand and seal of  
17 office on this the 23rd day of April, 2012.

18

19

20 EDITH A. BOGGS, CSR  
21 Certified Shorthand Reporter and  
Notary Public in and for  
the State of Texas

22 Notary Expires: 5-10-2012  
23 Certificate No. 3022  
Expiration date: 12-31-2013  
24 Esquire Deposition Solutions, LLC  
Registration No. 3

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